

ORDINANCE #
THE CITY OF PORTSMOUTH ORDAINS

That Chapter 10 – Zoning Ordinance of the Ordinances of the City of Portsmouth is hereby amended by inserting a new Article 5A – Character Districts, as set forth in a document titled “Proposed Character-Based Zoning Ordinance,” dated April 7, 2014;

And further, that said Chapter 10 – Zoning Ordinance is hereby amended by adopting as the Zoning Map for the Character Districts the maps referenced in Section 10.5A14.10 of said Article 5A. Said maps are shown on a page titled “City of Portsmouth – Character-Based Zoning,” dated April 7, 2014.

These proposed amendments to the Zoning Ordinance and Zoning Map are provided in the Agenda packet for the City Council meeting of April 7, 2014, under separate cover, and may be reviewed during normal business hours of City Hall in the offices of the City Clerk and Planning Department.

The City Clerk shall properly alphabetize and/or re-number the ordinances as necessary in accordance with this revision.

All ordinances or parts of ordinances inconsistent herewith are hereby deleted.

This ordinance shall take effect upon its passage.

APPROVED:

Robert Lister, Mayor

ADOPTED BY COUNCIL:

Kelli L. Barnaby, City Clerk



City of Portsmouth

PROPOSED CHARACTER-BASED ZONING ORDINANCE
City Council Third Reading – April 7, 2014

PROPOSED CHARACTER-BASED ZONING ORDINANCE

Table of Contents

ARTICLE 5A CHARACTER DISTRICTS

SECTION 10.5A10 GENERAL	5A-1
10.5A11 Purpose and Intent	5A-1
10.5A12 Effective Date	5A-1
10.5A13 Applicability; Compliance.....	5A-1
10.5A14 Construction.....	5A-3
10.5A15 Definitions.....	5A-3
SECTION 10.5A20 REGULATING PLAN	5A-4
10.5A21 General.....	5A-4
10.5A22 Regulating Plan Amendment.....	5A-5
SECTION 10.5A30 DEVELOPMENT PLANS	5A-5
10.5A31 Procedural Requirements.....	5A-5
10.5A32 Plan Requirements	5A-6
10.5A33 Administration.....	5A-8
10.5A34 Development Plan Submissions.....	5A-8
10.5A35 Development Plan Review and Action	5A-9
SECTION 10.5A40 CHARACTER DISTRICTS, CIVIC SPACES, CIVIC DISTRICTS AND MUNICIPAL DISTRICTS.....	5A-10
10.5A41 General.....	5A-10
10.5A42 Elements and Standards.....	5A-13
SECTION 10.5A50 DEVELOPMENT STANDARDS	5A-26
10.5A51 Municipal Districts, Civic Districts, and Civic Spaces	5A-26
10.5A52 Special Requirements	5A-26
10.5A53 Lots.....	5A-29
10.5A54 Building Placement and Yard Types	5A-29
10.5A55 Building Form and Building Types	5A-33
10.5A56 Encroachments.....	5A-38
10.5A57 Building and Lot Uses.....	5A-41
10.5A58 Off-Street Parking and Loading Requirements	5A-42
10.5A59 Architectural Design Guidelines	5A-43
SECTION 10.5A60 DEFINITIONS.....	5A-44

List of Tables, Maps & Illustrations

Table 10.5A42.10	Character District Descriptions
Table 10.5A42.10A	Character District Standards: CD4-L General Urban District—Limited
Table 10.5A42.10B	Character District Standards: CD4 General Urban District
Table 10.5A42.10C	Character District Standards: CD5 Urban Center District
Table 10.5A33.30	Block Perimeter Standards
Table 10.5A51.20	Civic Spaces
Table 10.5A54.20	Yard Types
Table 10.5A54.30	Private Frontage Types
Table 10.5A55.90	Building Types
Map 10.5A21A	Regulating Plan (showing boundary with legend)
Map 10.5A21B	Special Requirements: Specific Building Height Requirement Areas
Map 10.5A21C	Special Requirements: Specific Shopfront, Officefront, Step Frontage, and Frontage Buildout and Special Use Requirement Areas
Illustration P1	Thoroughfare and Frontages
Illustration P2	Navigating Article 5A, Project Approval Summary (Pending)
Illustration 10.5A41.20A	Character District Standards: CD4-L General Urban District—Limited
Illustration 10.5A41.20B	Character District Standards: CD4 General Urban District
Illustration 10.5A41.20C	Character District Standards: CD5 Urban Center District
Illustration 10.5A53.10	Lot Layers
Illustration 10.5A54.30	Principal Building / Backbuilding / Outbuilding
Illustration 10.5A54.70	Setback Designations
Illustration 10.5A55.20	Frontage and Lot Lines

Article 5A Character Districts

Section 10.5A10 General

10.5A11 Purpose and Intent

The purpose of Article 5A is to encourage development that is compatible with the established character of its surroundings and consistent with the City's goals for the preservation or enhancement of the area. This is accomplished by providing a range of standards for the elements of development and buildings that define a place.

10.5A12 Effective Date

Article 5A shall become effective when the initial Regulating Plan has been adopted.

10.5A13 Applicability; Compliance

10.5A13.10 Applicability

Article 5A shall apply to the "Character-Based Zoning Area" as shown on the Regulating Plan, as the same may be adopted and amended from time to time, and to the Character Districts and Civic Districts within said Character-Based Zoning Area. Municipal Districts are shown on the Regulating Plan for reference but are governed by other sections of the Zoning Ordinance and not by Article 5A.

10.5A13.20 Compliance with Regulating Plan

10.5A13.21 In the Character Districts and Civic Districts, all lots hereafter created or modified, all buildings and structures hereafter erected, reconstructed, altered, enlarged or moved, all uses hereafter established, all other development or improvements, and all plans, applications and submissions shall comply with the requirements of Article 5A, as well as with all provisions of this Zoning Ordinance that are not superseded by Article 5A.

10.5A13.22 No development, improvement, subdivision, re-subdivision or construction of or on any building, lot or parcel of land shall occur and no Development Plan or application for approval of a Development Plan may be submitted or approved except pursuant to the Regulating Plan and in compliance with the applicable standards and requirements for such District.

10.5A13.30 Relationship to Other Provisions of the Zoning Ordinance

10.5A13.31 The provisions of Article 5A shall take precedence over all other provisions of the Zoning Ordinance that would be in conflict with Article 5A. Provisions of the Zoning Ordinance that do not apply within the Character-Based Zoning Area include, but are not limited to, the following:

In Article 5 – Dimensional and Intensity Standards:

- Section 10.530 – Business and Industrial Districts
- Section 10.570 – Accessory Buildings, Structures and Uses
- Section 10.580 – Special Dimensional Requirements for Certain Uses

In Article 11 – Site Development Standards:

- 10.1113.20 (Location of Parking Facilities on a Lot)

10.5A13.32 All provisions of the Zoning Ordinance that are not specifically modified or superseded by Article 5A, or that are not in conflict with Article 5A, shall apply to lots, buildings and uses within the Character-Based Zoning Area. Provisions of the Zoning Ordinance that apply within the Character-Based Zoning Area include, but are not limited to, Articles 1-6 and 8-15.

10.5A13.40 Compliance with Other Rules and Regulations

10.5A13.41 Any proposal, project, application or Development Plan that involves the subdivision of land shall comply with the Subdivision Rules and Regulations, in addition to the requirements of Article 5A.

10.5A13.42 Any proposal, project, application or Development Plan that requires Site Plan Review under the Site Plan Review Regulations shall comply with such Regulations, in addition to the requirements of Article 5A.

10.5A13.43 If any provision of the Subdivision Rules and Regulations or Site Plan Review Regulations conflicts with a provision of Article 5A, the standards and requirements of Article 5A shall supersede and be controlling.

10.5A13.44 The provisions of Article 5A do not modify or supersede any provision of the Building Code, other City ordinances or regulations, or State laws relating to the development of land.

10.5A14 Construction

10.5A14.10 Maps

The following maps are an integral part of Article 5A, and together constitute the Zoning Map for the Character-Based Zoning Area:

Map 10.5A21A – Regulating Plan

Map 10.5A21B – Special Requirements: Specific Building Height Requirement Areas

Map 10.5A21C – Special Requirements: Specific Shopfront, Officefront, Step Frontage, and Frontage Buildout and Special Use Requirement Areas

10.5A14.20 Tables, Diagrams, Photographs and Illustrations

10.5A14.21 The metrics and standards in the following tables are an integral part of Article 5A:

Table 10.5A42.10A – Character District Standards: CD4-L General Urban District—Limited

Table 10.5A42.10B – Character District Standards: CD4 General Urban District

Table 10.5A42.10C – Character District Standards: CD5 Urban Center District

Table 10.5A51.20 – Civic Spaces

Table 10.5A54.20 – Yard Types

Table 10.5A54.30 – Private Frontage Types

Table 10.5A55.90 – Building Types

10.5A14.22 The diagrams, photographs and illustrations contained in the above tables are provided only to indicate the general character or location of or reference to the various Character Districts and elements thereof shown thereon and they shall have regulatory force and effect only to that extent.

10.5A14.23 All graphical and tabular depictions entitled “Illustration” are provided for illustrative, explanatory purposes only and are not regulatory.

10.5A14.30 Priority Among Metrics

Where in conflict, numerical metrics shall take precedence over graphic metrics.

10.5A15 Definitions

Terms used throughout Article 5A may be defined in Section 10.5A60, in Article 15 or elsewhere in the Zoning Ordinance. Terms not so defined shall be accorded their commonly accepted meanings. In the event of any conflict between the definitions in Article 5A, those in Article 15, other sections of the Zoning Ordinance, the Subdivision Rules and Regulations, or any other local land use ordinances, rules or regulations, those of Article 5A shall take precedence.

Section 10.5A20 Regulating Plan

10.5A21 General

10.5A21.10 Contents of Regulating Plan

The Regulating Plan and each amendment thereto shall designate and show the Character Districts, Civic Districts, Municipal Districts and any special requirements of the Character Districts. The initial Regulating Plan consists of the following maps:

- Map 10.5A21A – Regulating Plan
- Map 10.5A21B – Special Requirements: Specific Building Height Requirement Areas
- Map 10.5A21C – Special Requirements: Shopfront, Officefront, Step Frontage, and Frontage Buildout and Special Use Requirement Areas

10.5A21.20 Special Requirements

A Regulating Plan may designate any of the special requirements listed in Sections 10.5A21.21 through 10.5A21.23 below. If a Regulating Plan designates any one or more of such special requirements, such designation indicates that the following standards shall be applied as follows:

10.5A21.21 Specific Building Height Requirement Areas

As designated on Map 10.5A21B, assignments for specific building heights require a building to have no more than the designated maximum number of stories or the maximum height in feet.

10.5A21.22 Specific Shopfront, Officefront, Step and Frontage Buildout and Special Use Requirement Areas

As designated on Map 10.5A21C,

- (a) Assignments for shopfront, officefront or step frontage requires that a building be provided with a shopfront, officefront or step frontage at the sidewalk level along the entire length of its private frontage.
- (b) Designations for frontage building percentage require that a building occupy no more than 50% of the frontage of the lot, wood siding shall be used for the exterior of the building and special uses apply to some properties along the waterfront area.

10.5A22 Regulating Plan Amendment

10.5A22.10 General

The Regulating Plan in effect from time to time may be amended as a Zoning Map amendment in accordance with the provisions of Article 1 (Purpose and Applicability), and Section 10.150 (Changes and Amendments).

An application for Regulating Plan amendment initiated by or on behalf of the owner of property shall be accompanied by a Development Plan for such property that has been approved in accordance with this Section 10.5A22.

10.5A22.20 Preparation and Requirements

An application for Regulating Plan amendment shall be prepared in accordance with 10.5A22.30 and shall conform to the requirements of Section 10.5A22.40 and other provisions hereof.

10.5A22.30 Application Requirements

In addition to all other requirements for zoning map amendments under Section 10.150, an application for a Regulating Plan Amendment shall include a Development Plan that complies with Section 10.5A30 and indicates the area proposed to be rezoned and all adjacent property; all existing zoning districts or Character Districts, Municipal Districts, and civic spaces; and the maximum number of stories and the maximum building height in feet and any other special requirements.

10.5A22.40 Plan Submission

An application for a Regulating Plan Amendment shall be submitted and processed in accordance with Sections 10.150, 10.5A22 and 10.5A30 as applicable.

10.5A22.50 Action on Plan

Any application for a Regulating Plan Amendment shall be processed and be subject to submission, consideration and approval as a zoning map amendment under Section 10.150, subject to the provisions of this Section 10.5A22.

Section 10.5A30 Development Plans

10.5A31 Procedural Requirements

10.5A31.10 Plan Required

Except for lawful nonconformities allowed pursuant to Article 3, none of the following shall occur or be proposed except in compliance with Article 5A, the Regulating Plan and a Development Plan that has been prepared, submitted and approved in accordance with this Section 10.5A30 and all standards and requirements applicable thereto:

- 10.5A31.11 Any new construction, alteration, extension or addition to any existing or proposed building or other structure, except activities listed in Section 10.633.20 (Exemptions from Certificate of Approval).
- 10.5A31.12 Subdivision or re-subdivision of any lot or other land;
- 10.5A31.13 The construction or alteration of any new or proposed off-street parking or drive-through facilities;
- 10.5A31.14 Any Regulating Plan amendment.

10.5A31.20 Preparation and Submission

- 10.5A31.21 In addition to meeting any applicable requirements for a Site Plan under Article 2 of the City’s Site Plan Regulations, each Development Plan shall be prepared and submitted by or on behalf of the Owner of the applicable property. It shall be in accordance with Section 10.5A33.10 and shall conform to the requirements of Section 10.5A33.20 and other provisions hereof.
- 10.5A31.22 Each Development Plan shall be submitted pursuant to Section 10.5A34 for review, action and approval in accordance with Section 10.5A35.

10.5A32 Plan Requirements

10.5A32.10 Plan Compliance with Standards and Requirements

Each Development Plan submitted shall include (1) the Development Plan area and each proposed block, lot and building therein, as applicable; and (2) each of the items listed in Section 10.5A33.20, which shall comply with the standards and requirements the applicable Character District or Civic space in which the land covered by such Development Plan is situated, as determined by the Regulating Plan then in effect or the proposed Regulating Plan Amendment.

10.5A32.20 Plan Contents

Unless waived for small projects by the Planning Board or its designee, each Development Plan submitted shall demonstrate compliance with or show the following items:

- (1) All applicable and adjacent Character Districts, Municipal Districts and Civic Districts.
- (2) Building placement, including without limitation setbacks and lot layers (Section 10.5A53.10);
- (3) Yard type (Section 10.5A54.20);
- (4) Building form and building type (Section 10.5A55);
- (5) Building and lot use (Section 10.5A57);

- (6) Off-street parking and loading requirements (Section 10.5A58);
- (7) For projects valued over \$25,000, detailed architectural elevations and a detailed rendering of each façade of each building proposed to be built or modified (Section 10.5A60). An electronic or physical model may also be required.
- (8) Signs (Section 10.5A59);
- (9) Any applicable special requirements (Section 10.5A21);
- (10) Existing and any proposed streets pedestrian alleys including without limitation, if the Development Plan area exceeds 2 acres or if the Development Plan requires or includes any extension or change to any existing streets, in compliance with applicable City standards;
- (11) Existing and any required or proposed civic spaces (Section 10.5A51 and Table 10.5A51.20);
- (12) Existing and any proposed Character Districts (Section 10.5A41.20);
- (13) If the Development Plan area exceeds 2 acres, Block Perimeter (Section 10.5A33.30);
- (14) If the Development Plan contains any element or use that would require Site Plan Review under the Site Plan Review Regulations, all requirements for Site Plans thereunder;
- (15) One or more maps of the Development Plan site and all adjacent property reflecting the existing building heights, Character Districts, civic spaces, any special requirements and any proposed amendments to the Regulating Plan; and,
- (16) Any existing structures or other improvements, indicating whether they are to remain, be altered or be demolished.

10.5A32.30 Block Perimeter

If a proposed Development Plan would create or divide a block or would consolidate two or more blocks, each such resulting block shall conform to the applicable Block Perimeter Standards set forth in Table 10.5A32.30.

TABLE 10.5A32.30 BLOCK PERIMETER STANDARDS

<u>CHARACTER DISTRICT</u>	<u>MAXIMUM BLOCK PERIMETER</u>
CD4-L	1,000 FEET
CD4	1,000 FEET
CD5	1,000 FEET

10.5A33 Administration

10.5A33.10 Responsibility

Except as otherwise provided herein, this Section 10.5A33 and applications and Development Plans submitted hereunder shall be administered by the Planning Department.

10.5A33.20 Review and Determination

10.5A33.21 The Planning Department shall, within 14 days of its receipt of an application and Development Plan required to be submitted, review and determine whether the same are complete and notify the applicant in writing of its determination.

10.5A33.22 The Planning Department shall forward a copy of the application and Development Plan to the Historic District Commission, which shall review, consider, and take action with respect thereto pursuant to Section 10.630. Upon issuance of all required Certificates of Approval by the Historic District Commission, the application and Development Plan shall be eligible for further processing, review, consideration and/or action, as applicable, in accordance with Sections 10.5A34 and 10.5A35, as applicable.

10.5A34 Development Plan Submissions

10.5A34.10 No development, improvement, subdivision, re-subdivision or construction of or on any building, lot or parcel of land shall occur without prior submission of a Development Plan and application for approval of a Development Plan that comply with Section 10.5A30 and approval thereof pursuant to Section 10.5A35. A Development Plan is not required for any items listed as exempt under Section 10.633.20.

10.5A34.20 Subject to issuance of any required Certificate of Approval from the Historic District Commission and any required review and approval pursuant to the Subdivision Rules and Regulations, a Development Plan and application for approval thereof that does not propose or involve any matter that would require Site Plan Review under the Site Plan Review Regulations shall be subject to administrative review and action by the Planning Department in accordance with Section 10.5A35.10 hereof.

10.5A34.30 Subject to issuance of any required Certificate of Approval from the Historic District Commission, any required review and approval pursuant to the Subdivision Rules and Regulations and any required Site Plan Review and approval, a Development Plan and application for approval thereof that proposes or involves any matter which would require Site Plan Review under the Site Plan Review Regulations shall be subject to review and action by the Planning Board in accordance with Section 10.5A35.20.

10.5A35 Development Plan Review and Action

10.5A35.10 Development Plans Not Subject to Site Plan Review

- 10.5A35.11 Within 14 days of its determination pursuant to Section 10.5A33.20 with respect to an application and Development Plan that do not require Site Plan Review, the Planning Department shall review such application and Development Plan to determine whether they comply with the Regulating Plan, Article 5A and other applicable City laws, ordinances and regulations subject to issuance or granting of any requested variance, special exception or conditional use permit.
- 10.5A35.12 If the Planning Department determines that an application and Development Plan that do not require Site Plan Review comply with the Regulating Plan, Article 5A and all other applicable City laws, ordinances and regulations, it shall approve the application and Development Plan subject to issuance or granting of any requested variance, special exception or conditional use permit.
- 10.5A35.13 If the Planning Department determines that an application and Development Plan that do not require Site Plan Review do not comply with the Regulating Plan, Article 5A and all other applicable City laws, ordinances and regulations, it shall reject the application and Development Plan.
- 10.5A35.14 In either case, the Planning Department shall notify the applicant and Planning Board in writing of its determination, and if applicable, the reason(s) for rejecting the application and Development Plan.

10.5A35.20 Development Plans Subject to Site Plan Review

- 10.5A35.21 Within 14 days of its determination pursuant to Section 10.5A33.20 with respect to an application and Development Plan that require Site Plan Review, the Planning Department shall review the application and Development Plan to determine whether they comply with the Regulating Plan, Article 5A and other applicable City laws, ordinances and regulations subject to issuance or granting of any requested variance, special exception or conditional use permit.
- 10.5A35.22 If the Planning Department determines that an application and Development Plan that requires Site Plan Review comply with the Regulating Plan, Article 5A and all other applicable City laws, ordinances and regulations, it shall notify the applicant and the Planning Board in writing, subject to issuance or granting of any requested variance, special exception or conditional use permit.
- 10.5A35.23 If the Planning Department determines that an application and Development Plan that requires Site Plan Review do not comply with the Regulating Plan, Article 5A and all other applicable City laws, ordinances and regulations, it shall not recommend the same to the

Planning Board and shall notify the applicant and the Planning Board of its determination in writing, stating the reasons for not recommending the same.

- 10.5A35.24 In either event, within 14 days of the Planning Department's notice pursuant to Section 10.5A35.22 or 10.5A35.23, the Planning Department shall forward the application and Development Plan to the Planning Board, which shall process and review the same, provide and hold any and all required notices and public hearings and determine whether the application and Development Plan comply with Article 5A, the Regulating Plan and all other applicable City laws, ordinances and regulations.
- 10.5A35.25 If the Planning Board determines that an application and Development Plan comply with the Regulating Plan, Article 5A and all other applicable City laws, ordinances and regulations, it shall approve the application and Development Plan.
- 10.5A35.26 If the Planning Board determines that the application and Development Plan do not comply with the Regulating Plan, Article 5A and all other applicable City laws, ordinances and regulations, it shall reject the application and Development Plan.
- 10.5A35.27 In either case, the Planning Board shall notify the applicant and Planning Department in writing of its determination, and if applicable, the reason(s) for rejecting the application and Development Plan.

10.5A35.30 Subdivision and Site Plan Review

Subject to the limitations of Section 10.5A14.50, all Development Plans, applications and approvals shall be subject to any required subdivision and/or Site Plan review and approval pursuant to the Subdivision Rules and Regulations or Site Plan Review Regulations. Any and all subdivision and Site Plan Review applications, submissions and reviews may be conducted concurrently with or as a part of the Development Plan application, submission and review process.

Section 10.5A40 Character Districts, Civic Spaces, Civic Districts and Municipal Districts

10.5A41 General

10.5A41.10 Applicability

This Section 10.5A40 applies to Character Districts, Municipal Districts and Civic Spaces to the extent provided herein. Development, land, improvements, construction, subdivision, resubdivision, structures and lots within each Character District or Civic Space, as applicable, shall include the respective elements and shall comply with the respective standards applicable to each. This Section 10.5A40 shall apply to Municipal Districts only as to their designation on the Regulating Plan (Map 10.5A21.A).

10.5A41.20 Character Districts

There are three Character Districts, as follows:

General Urban District – Limited	CD4-L	<ul style="list-style-type: none">• Medium density transitional area• Mix of medium to large residential house types• Almost entirely residential uses• Shallow front setbacks• Shallow to medium to side setbacks• Variable private landscaping• Streets with curbs, sidewalks, and street trees that define medium to large blocks
General Urban District	CD4	<ul style="list-style-type: none">• Medium-to-high density transitional area• Mix of building types• Residential, retail, and other commercial uses• Shallow or no front setbacks• Medium to no side setbacks• Variable private landscaping• Streets with curbs, sidewalks, and street trees that define small to medium blocks
Urban Center District	CD5	<ul style="list-style-type: none">• High density development center• Mix of building types• Residential, retail and other commercial uses• No front setbacks• No side setbacks• Limited landscaping• Streets with curbs, sidewalks and street trees that define small to medium blocks

TABLE 10.5A42.10 CHARACTER DISTRICT DESCRIPTIONS

CD4-L General Urban District—Limited



CD4-L General Urban District—Limited This District consists of a medium density transitional area that has a mix of medium to large residential house types with almost entirely residential uses; there are shallow front Setbacks and shallow to medium to side Setbacks; it has variable private landscaping; and it has Streets with curbs, sidewalks, and street trees that define medium to large blocks.

CD4 General Urban District



CD4 General Urban District This District consists of a medium-to-high density transitional area that has a mix of building types and residential, retail, and other commercial uses; there are shallow or no front Setbacks and medium to no side Setbacks; it has variable private landscaping; and it has Streets with curbs, sidewalks, and street trees that define small to medium blocks.



CD5 Urban Center District. This District consists of a high density development center with a mix of building types and residential, retail and other commercial uses; there are no front Setbacks and no side Setbacks; it has limited landscaping; and it has Streets with curbs, sidewalks and street trees that define small to medium blocks.

10.5A42 Elements and Standards

10.5A42.10 Character Districts

Development, improvements, land, structures and lots within each Character District shall include the applicable elements indicated for such Character District throughout Article 5A and shall comply with the applicable Character District general description and intent thereof described in Section 10.5A41 (Character District Descriptions) and the standards applicable to such Character District set forth in Tables 10.5A42.10A-C (Character District Standards) and elsewhere in Article 5A.

10.5A42.20 Civic Spaces

Development, improvements, land, structures and lots within each civic space shall comply with applicable requirements of Article 5A including, without limitation, Section 10.5A50.

This page left blank intentionally.

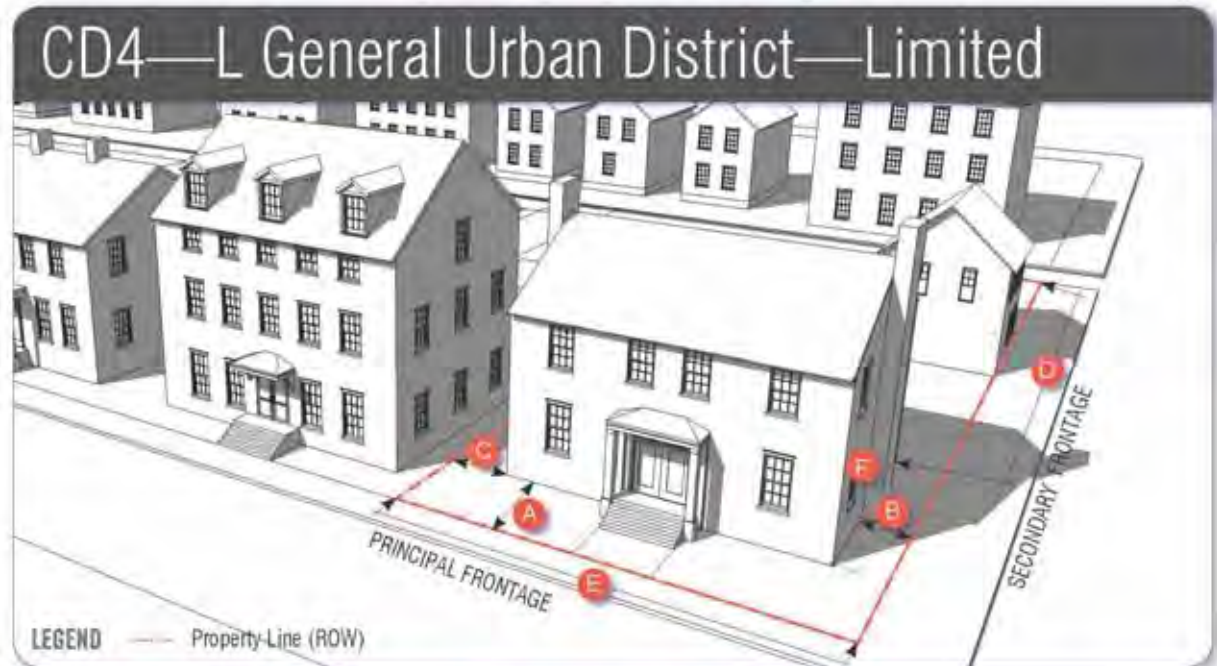
**ILLUSTRATION 10.5A41.20A CHARACTER DISTRICT STANDARDS
GENERAL URBAN DISTRICT—LIMITED**

CD4-L

CD4-L General Urban District—Limited. This District consists of a medium density transitional area that has a mix of medium to large residential house types with almost entirely residential uses; there are shallow front Setbacks and shallow to medium to side Setbacks; it has variable private landscaping; and it has Streets with curbs, sidewalks, and street trees that define medium to large blocks.



**TABLE 10.5A42.10A CHARACTER DISTRICT STANDARDS
GENERAL URBAN DISTRICT—LIMITED CD4-L**



BUILDING PLACEMENT — PRINCIPAL BLDG

Front Setback, Principal Frontage**	0 ft min, 15 ft max	A
Front Setback, Secondary Frontage	0 ft min, 12 ft max	B
Side Setback	5 ft min, 20 ft max	C
Rear Setback	greater of 5 ft min or 10 ft from center line of alley	D
Frontage Buildout	60% min to 80% max at front setback	E

YARD TYPES

(see Table 10.5A54.20)

Edgeyard	permitted
Sidyard	permitted
Rearyard	permitted

BUILDING & LOT USE

See Section 10.5A57

** 70% min for shopfront.

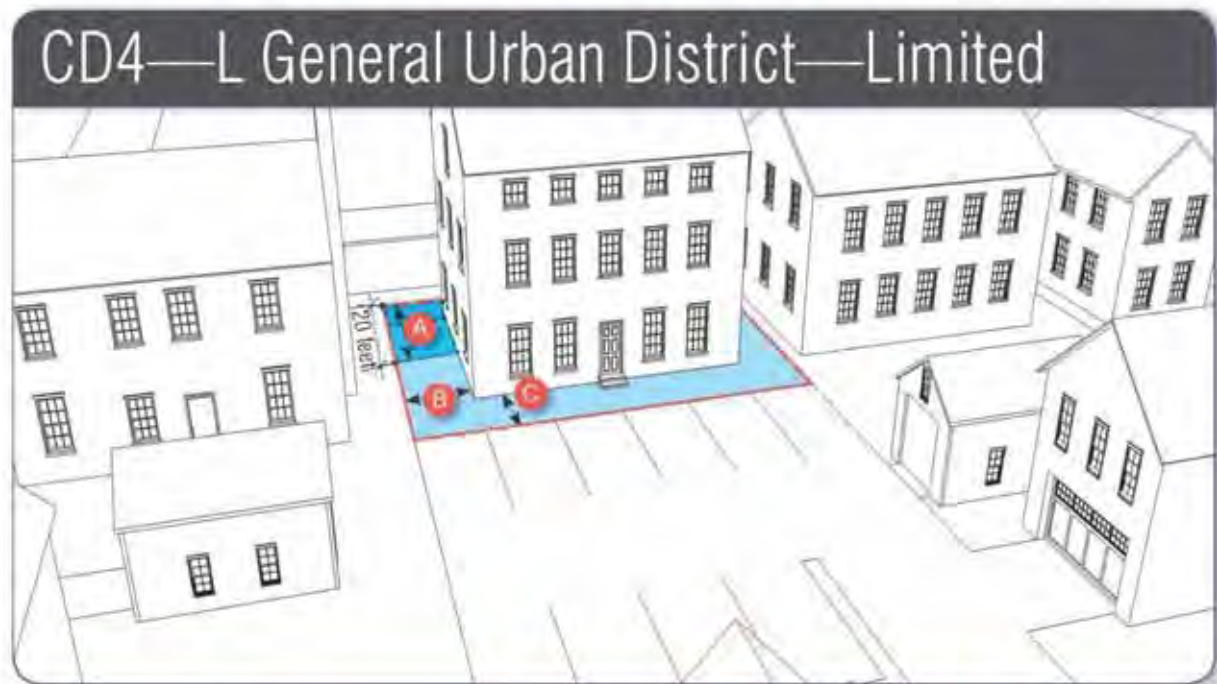
LOT OCCUPATION

Lot Width	35 ft min, 80 ft max	E
Building Coverage	60% max	
Open Space	25% Min	
Min. Lot Area	3,000 sf	
Min. Lot Area/Dwell Unit	3,000 sf	
Lot Width	35-80ft	
Max Building Footprint	NR	
Max Facade Modulation	NR	

BUILDING FORM — PRINCIPAL BUILDING

Building Height	See Map 10.5A21.B & Section 10.5A55.30 Special Requirements: Specific Building Height Requirements/Areas	F
Ground Floor Height	10 ft min	
Upper Floor Height	9 ft min	
Facade Glazing	25% to 40% **	
Roof Type	gable, hip, gambrel	
Roof Pitch, if any	gable: 6:12 min, 12:12 max hip: 3:12 min gambrel: 6:12 min, 30:12 max	

**TABLE 10.5A42.10A CHARACTER DISTRICT STANDARDS
GENERAL URBAN DISTRICT—LIMITED** CD4-L



LEGEND --- Property Line (ROW) First Layer Second Layer Third Layer

BUILDING PLACEMENT — OUTBUILDING

Front Setback	Principal Bldg setback + 20 ft min	A
Side Setback	0 ft min	B
Rear Setback	3 ft min	C

PARKING

LOCATION	
Third Lot Layer	Principal Bldg setback + 20 ft

PRIVATE FRONTAGES & ENCROACHMENTS

PRIVATE FRONTAGE TYPES	(see Table 10.5A54.30)*
Common Lawn	not permitted
Porch	permitted
Forecourt	not permitted
Step	permitted
Stoop	permitted
Shopfront	not permitted
Officerfront	not permitted*

ENCROACHMENT OF BUILDING ELEMENTS

Porches, Stoops, and other Elements may encroach the indicated setbacks by the following distances.

Front Setback, Principal Frontage	10 ft max
Front Setback, Secondary Frontage	10 ft max
Rear Setback	5 ft max

* See Illustration 10.5A21C for additional requirements.

This page left blank intentionally.

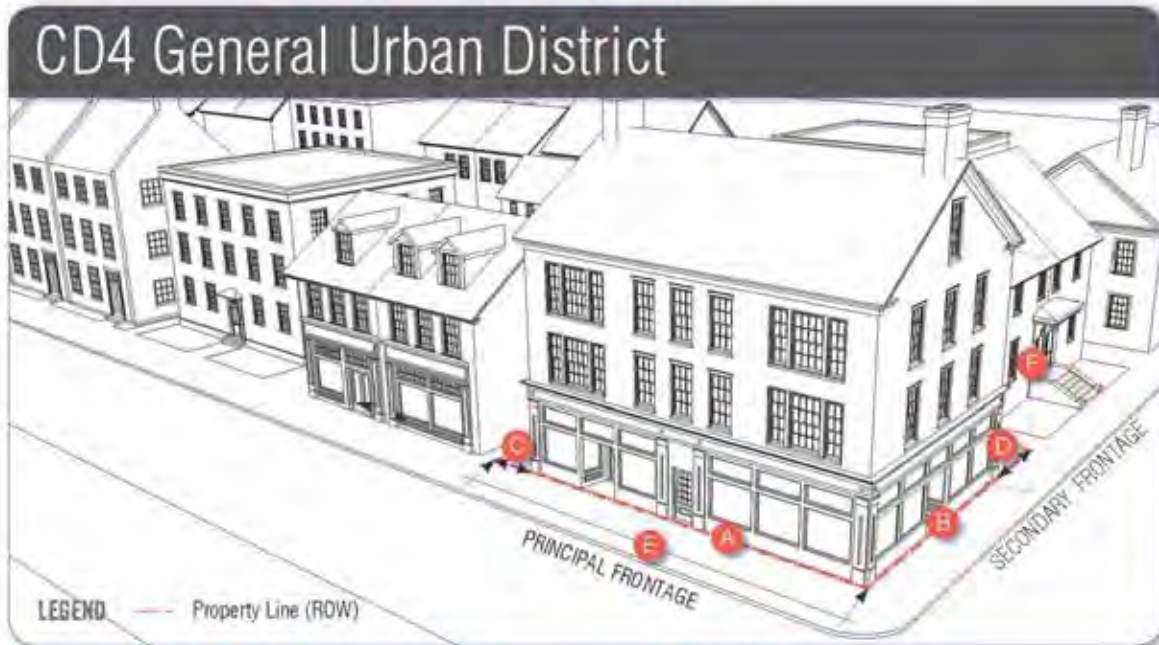
**ILLUSTRATION 10.5A42.10B CHARACTER DISTRICT STANDARDS
CD4 GENERAL URBAN DISTRICT**

CD4

CD4 General Urban District. This District consists of a medium-to-high density transitional area that has a mix of building types and residential, retail, and other commercial uses; there are shallow or no front Setbacks and medium to no side Setbacks; it has variable private landscaping; and it has Streets with curbs, sidewalks, and street trees that define small to medium blocks.



**TABLE 10.5A42.10B CHARACTER DISTRICT STANDARDS
GENERAL URBAN DISTRICT CD4**



BUILDING PLACEMENT — PRINCIPAL BLDG

Front Setback, Principal Frontage	0 ft min, 10 ft max	A
Front Setback, Secondary Frontage	0 ft min, 15 ft max	B
Side Setback	0 - 20 ft max	C
Rear Setback	greater of 5 ft min or 10 ft from center line of alley	D
Frontage Buildout	50% min at front setback, except no min - 50% max, per Special Req. Map 10.5A21C on Ceres Street.	

YARD TYPES

(see Table 10.5A54.20)

Edgeyard	permitted
Sidyard	permitted
Rearyard	permitted

BUILDING & LOT USE

See Section 10.5A57

* Except for mixed-use parking structures designed in accordance with Section 10.5A58
 ** 70% min for storefront

LOT OCCUPATION

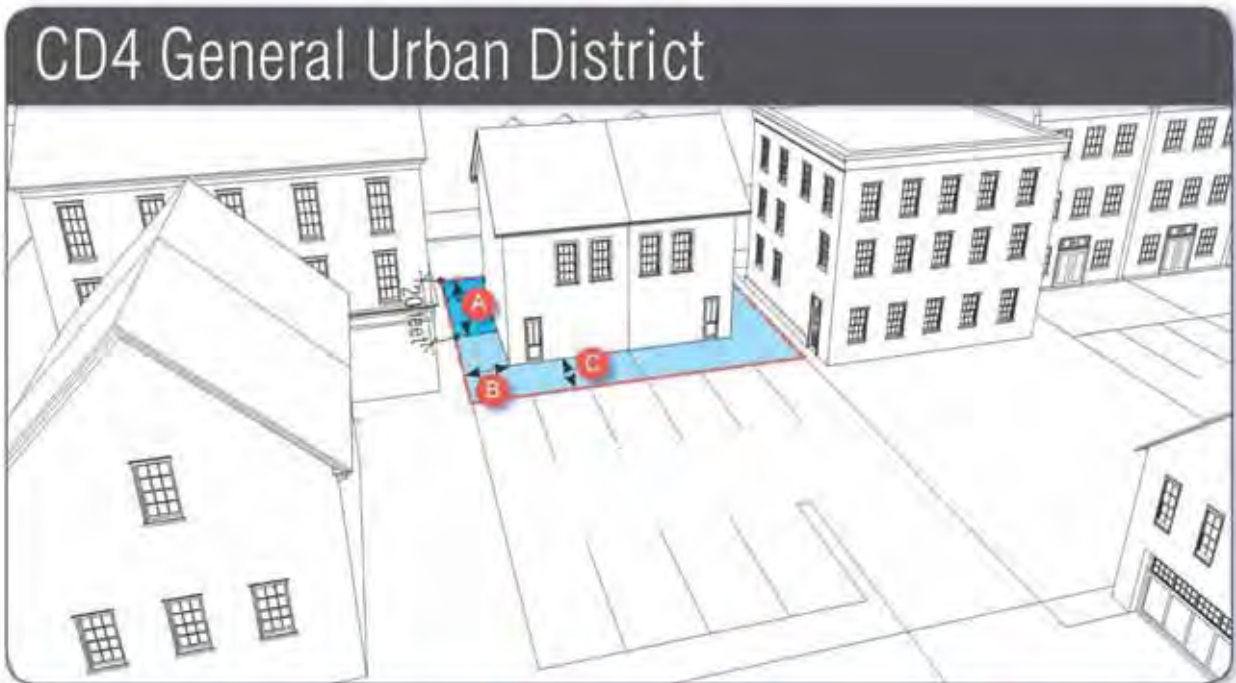
Lot Width	18 ft min, 60 ft max **	E
Building Coverage	90% max	
Open Space	10% Min	
Minimum Lot Area	2,000 sf (N/A per dwelling unit)	
Minimum Lot Width	18 ft	
Max Building Footprint	10,000 sf*	
Max Facade Modulation	80 ft*	

BUILDING FORM — PRINCIPAL BUILDING

Building Height	See Map 10.5A21.B & Section 10.5A55.30 Special Requirements: Specific Building Height Requirement Areas	F
Ground Floor Height	12 ft min	
Upper Floor Height	9 ft min	
Facade Glazing	20% min - 50% max **	
Roof Type	flat, hip, gable, gambrel, mansard	
Roof Pitch, if any	gable: 6:12 min, 12:12 max hip: 3:12 min mansard / gambrel: 6:12 min, 30:12 max	

**TABLE 10.5A42.10B CHARACTER DISTRICT STANDARDS
CD4 GENERAL URBAN DISTRICT**

CD4



LEGEND Property Line (ROW) First Layer Second Layer Third Layer

BUILDING PLACEMENT — OUTBUILDING

Front Setback	Principal Bldg setback ± 20 ft min	A
Side Setback	0 ft min	B
Rear Setback	3 ft min	C

PARKING

LOCATION	
Third Lot Layer	Principal Bldg setback ± 20 ft

PRIVATE FRONTAGES & ENCROACHMENTS

PRIVATE FRONTAGE TYPES	(See Table 10.5A54.30)*
Common Lawn	not permitted
Porch	permitted
Forecourt	permitted
Step	permitted
Stoop	permitted
Shopfront	permitted
Officefront	permitted

ENCROACHMENT OF BUILDING ELEMENTS

Porches, Stoops, and other Elements may encroach the indicated setbacks by the following distances.

Front Setback, Principal Frontage	8 ft max
Front Setback, Secondary Frontage	8 ft max
Rear Setback	5 ft max

* See Illustration 10.5A21C for additional requirements.

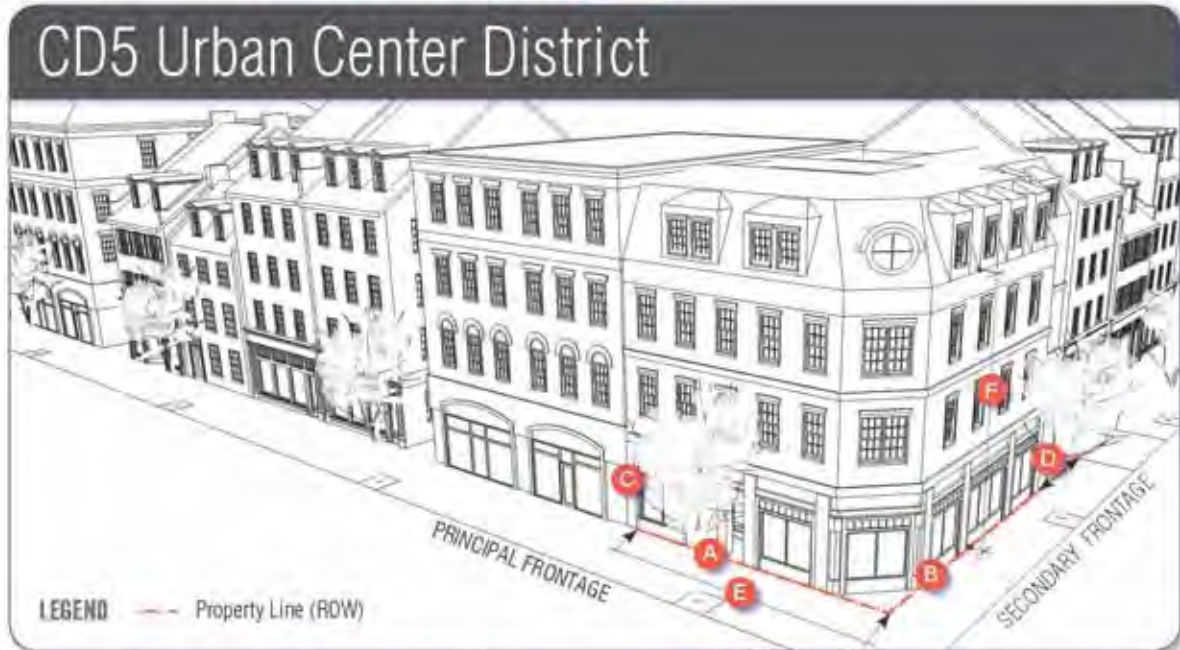
This page left blank intentionally.

**ILLUSTRATION 10.5A42.10C CHARACTER DISTRICT STANDARDS
URBAN CENTER DISTRICT** CD5

CD5 Urban Center District. CD5 Urban Center District. This District consists of a high density development center with a mix of building types and residential, retail and other commercial uses; there are no front Setbacks and no side Setbacks; it has limited landscaping; and it has Streets with curbs, sidewalks and street trees that define small to medium blocks.



**TABLE 10.5A42.10C CHARACTER DISTRICT STANDARDS
URBAN CENTER DISTRICT CD5**



BUILDING PLACEMENT — PRINCIPAL BLDG

Front Setback, Principal Frontage	0 ft max.*	A
Front Setback, Secondary Frontage	0 ft max.	B
Side Setback	0 ft max.	C
Rear Setback	greater of 0 ft min or 10 ft from center line of alley	D
Frontage Buildout	100% at front setback **	

* Building setbacks may be increased where public access easements are accepted by the City.
** Except for Truncated Corners, Building Projections or other Open Spaces.

YARD TYPES (see Table 10.5A54.20)

Edgeyard	not permitted
Sidyard	not permitted
Rearyard	permitted

BUILDING & LOT USE

See Section 10.5A57

* Except for mixed-use parking structures designed in accordance with Section 10.5A58
** 70% min lot/footprint

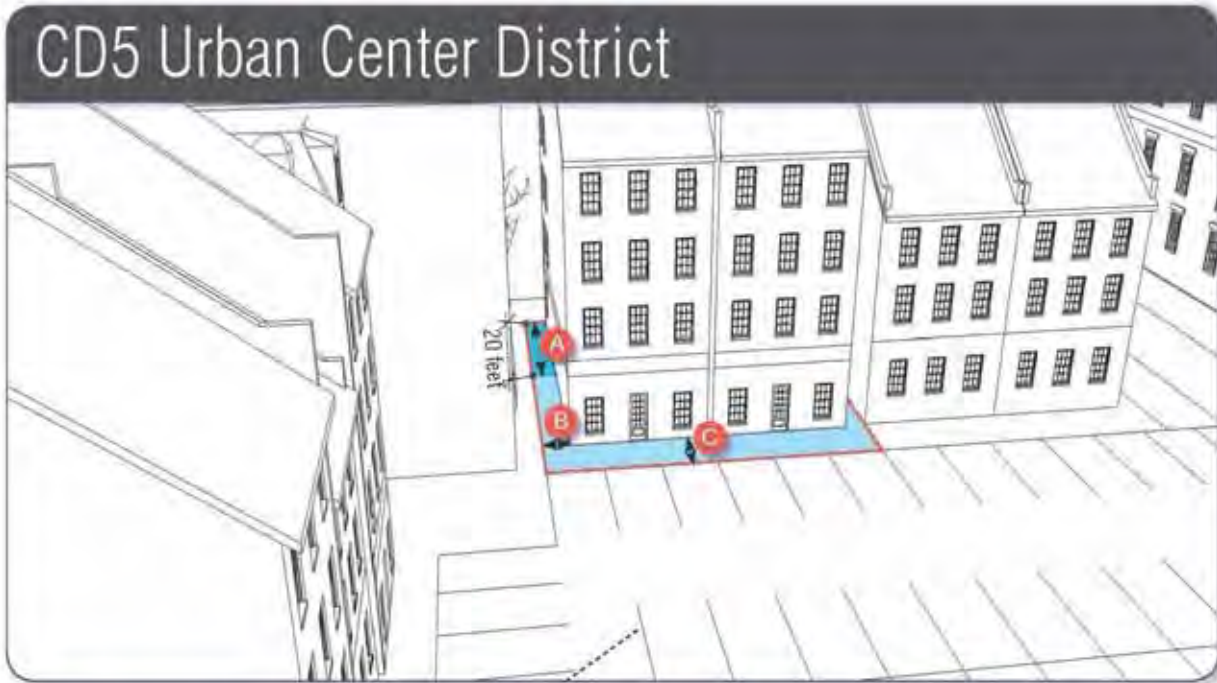
LOT OCCUPATION

Lot Width	18 ft min, 60 ft max **	E
Building Coverage	95% max	
Open Space	5% Min	
Minimum Lot Area	2,000 sf. (NR per Dwelling Unit)	
Minimum Lot Width	18 ft	
Max Building Footprint	15,000 sf*	
Max Facade Modulation	100 ft*	

BUILDING FORM — PRINCIPAL BUILDING

Building Height	See Map 10.5A21.B Special Requirements: Specific Building Height Requirement Areas	F
Ground Floor Height	12 ft min	
Upper Floor Height	6 ft min	
Facade Glazing	20% min - 50% max	
Roof Type	flat, hip, gable, mansard, gambrel	
Roof Pitch, if any	gable: 6:12 min, 12:12 max hip: 3:12 min mansard/gambrel: 6:12 min, 30:12 max	

**TABLE 10.5A42.10C CHARACTER DISTRICT STANDARDS
URBAN CENTER DISTRICT CD5**



LEGEND --- Property Line (ROW) ■ First Layer ■ Second Layer ■ Third Layer

BUILDING PLACEMENT — OUTBUILDING

Front Setback	Principal Bldg setback + 20 ft min	A
Side Setback	0 ft min	B
Rear Setback	3 ft min	C

PARKING

LOCATION	
Third Lot Layer	Principal Bldg setback + 20 ft

PRIVATE FRONTAGES & ENCROACHMENTS

PRIVATE FRONTAGE TYPES	(see Table 10.5A54.30)*
Common Lawn	not permitted
Porch	not permitted
Forecourt	not permitted
Step	permitted
Stoop	permitted
Shopfront	permitted
Officefront	permitted

ENCROACHMENT OF BUILDING ELEMENTS

Porches, Stoops, and other Elements may encroach the indicated setbacks by the following distances.

Front Setback, Principal Frontage	10 ft max
Front Setback, Secondary Frontage	10 ft max
Rear Setback	5 ft max

* See Illustration 10.5A21C for additional requirements.

Section 10.5A50 Development Standards

10.5A51 Municipal Districts, Civic Districts, and Civic Spaces

10.5A51.10 Municipal Districts

Structures and uses within the Municipal District are governed by the provisions of Section 10.460 and 10.560.

10.5A51.20 Civic Districts

10.5A51.21 Structures in the Civic District may be converted to other uses permitted under 10.5A57 without the need for a Development Plan or Regulating Plan amendment provided that no development or improvements are made to the existing structures, and that the new uses remain civic.

10.5A51.22 New structures and alterations and expansions of existing structures in the Civic District are exempt from the requirements of 10.5A54 and 10.5A55 provided that all uses remain civic. A Development Plan is required for any development or improvements made to the existing structures or the lot.

10.5A51.23 Structures in the Civic District that are proposed for development or improvements and/or conversion to non-civic uses permitted under 10.5A57 shall require a Development Plan and Regulating Plan amendment as set forth in Section 10.5A22.

10.5A51.30 Civic Spaces

10.5A51.31 Any Development Plan having an aggregate area of 2 acres or more shall include at least 5% but not more than 20% of its gross land area assigned and improved as civic spaces. The Planning Board shall determine the size, location and type of the required civic spaces based on the size and location of the development, and the proposed and adjacent uses.

10.5A51.32 Civic spaces shall be designed as generally described in Table 10.5A51.20 (Civic Spaces) as related to the adjacent Character District, or if adjacent to more than one, as related to the highest numbered adjacent Character District.

10.5A52 Special Requirements

A Development Plan shall designate any applicable special requirements described in Section 10.5A21.20.

TABLE 10.5A51.20 CIVIC SPACES



A natural preserve available for structured or unstructured recreation. A park may be independent of surrounding building Frontages. Other than active use areas, its landscape shall consist of Paths and trails, meadows, waterbodies, woodland and open shelters, all naturalistically disposed. Parks may be lineal, following the trajectories of natural corridors.



A linear Civic Space that may follow natural corridors providing unstructured and limited amounts of structured recreation. A Greenway may be spatially defined by landscaping rather than building Frontages. Its landscape shall consist of paths and trails, waterbodies, and trees, naturalistically disposed.



A paved/brick pedestrian connector between buildings. Pedestrian Alleys provide shortcuts through long blocks and connect rear Parking Areas and other Civic Spaces with Street Frontages. Pedestrian Alleys may be covered by a roof and or lined by Shopfronts.

TABLE 10.5A51.20 CIVIC SPACES (CONTINUED)



A Civic Space available for unstructured recreation and Civic purposes. A Square is spatially defined by building Frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Squares shall be located at the intersection of important Thoroughfares. The minimum size shall be 1/8 acre.



A Civic Space available for Civic purposes and Commercial activities. A Plaza shall be spatially defined by building Frontages. Its landscape shall consist primarily of pavement. Trees are optional. Plazas should be located at the intersection of important streets. The minimum size shall be 1/8 acre.



A Civic Space available for informal activities in close proximity to neighborhood residences. A Pocket Park is spatially defined by building Frontages. Its landscape shall consist of paths, lawns and trees, formally disposed. Pocket Parks shall be in public places or in more intimate mid-block locations. There is no minimum size.



A Civic Space designed and equipped for the recreation of children. A playground should be fenced and may include an open shelter. Playgrounds shall be interspersed within Residential areas and may be placed within a Block. Playgrounds may be included within parks and greens. There shall be no minimum size.

10.5A53 Lots

10.5A53.10 Lot Layers

Lots are composed of three lot layers, the first lot layer, the second lot layer and the third lot layer, as shown in Illustration 10.5A53.10 (Lot Layers) and as defined in Section 10.5A60 (Definitions).

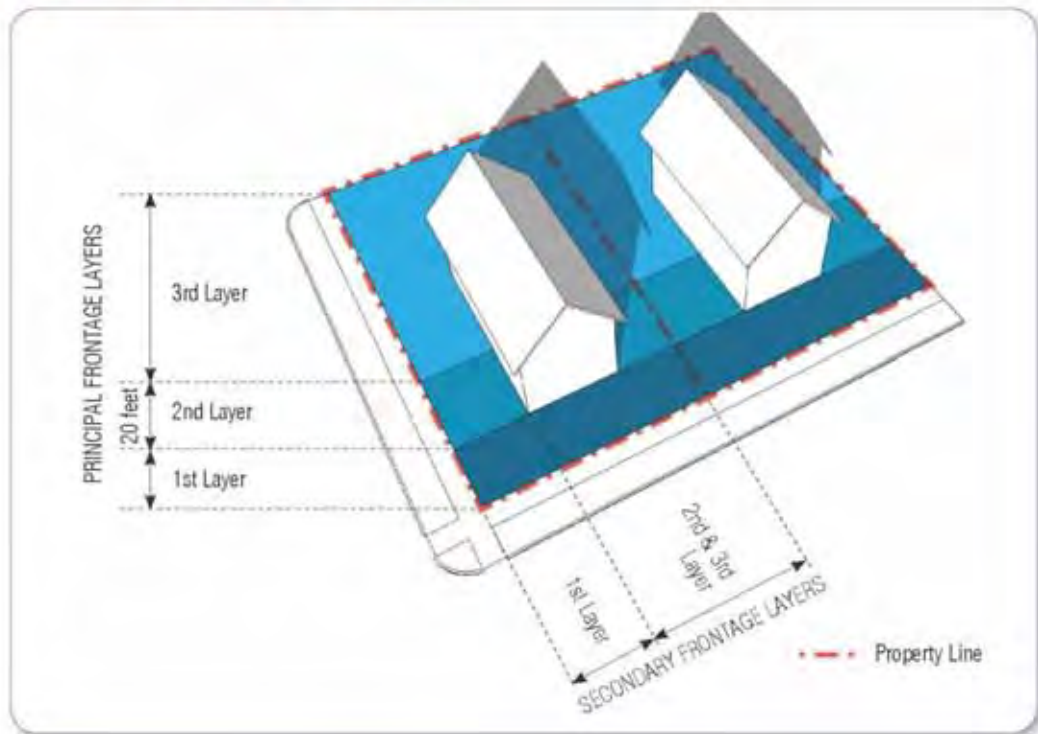
10.5A53.20 Lot Dimensions

Newly platted lots within each Character District shall be dimensioned according to Tables 10.5A42.10A-C (Character District Standards).

10.5A53.30 Building Coverage

Building coverage within each Character District shall not exceed that recorded in Tables 10.5A42.10A-C (Character District Standards).

ILLUSTRATION 10.5A33.10 LOT LAYERS



10.5A54 Building Placement and Yard Types

10.5A54.10 Building Placement

Buildings shall be disposed in relation to the boundaries of their lots within each Character District according to Tables 10.5A42.10A-C (Character District Standards).

10.5A54.20 Yard Types

Buildings and lots shall conform to the Yard Type standards within each Character District, as set forth on Table 10.5A54.20 (Yard Types).

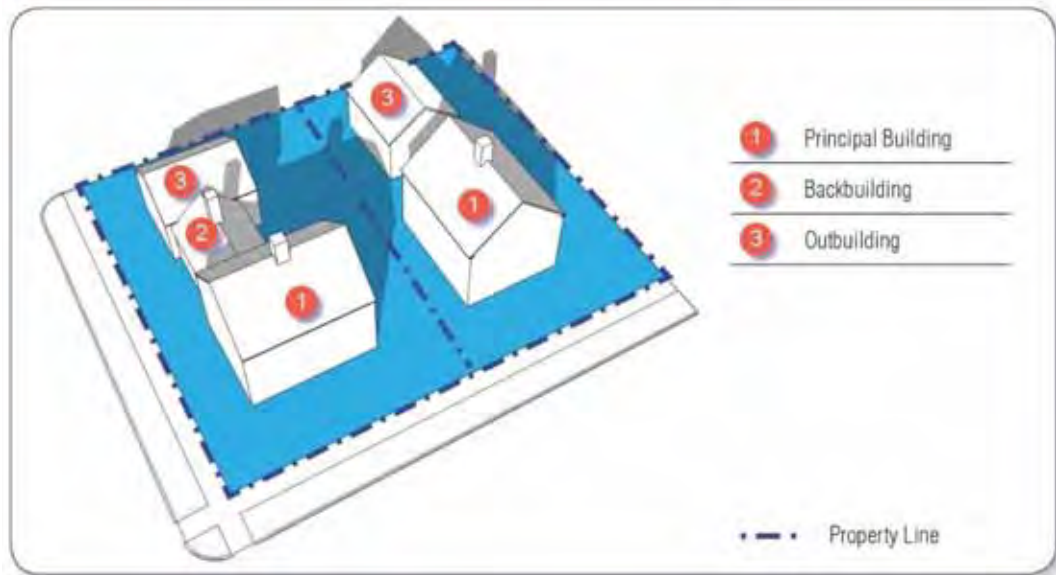
10.5A54.30 Principal Building

Within each Character District, only one principal building may be built on each lot at the frontage, as illustrated generally in Illustration 10.5A54.30 (Principal Building/Backbuilding/Outbuilding).

10.5A54.40 Backbuildings and Outbuildings

Within each Character District a detached or attached outbuilding may be built on each lot to the rear of the principal building, as illustrated generally in Illustration 10.5A54.30 (Principal Building/Backbuilding/Outbuilding). All backbuildings or outbuildings shall conform to the requirements listed in Section 10.570.

ILLUSTRATION 10.5A54.30 PRINCIPAL BUILDING/BACKBUILDING/OUTBUILDING



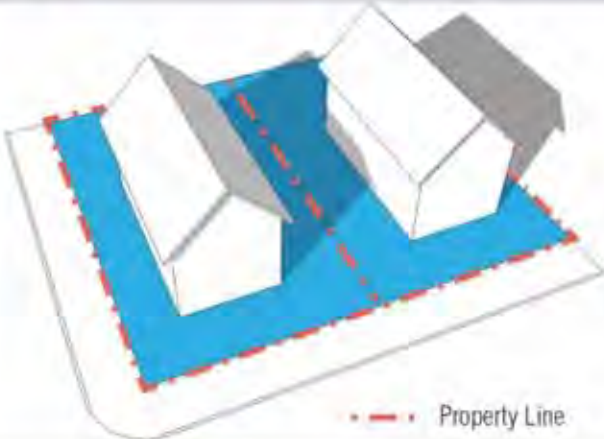
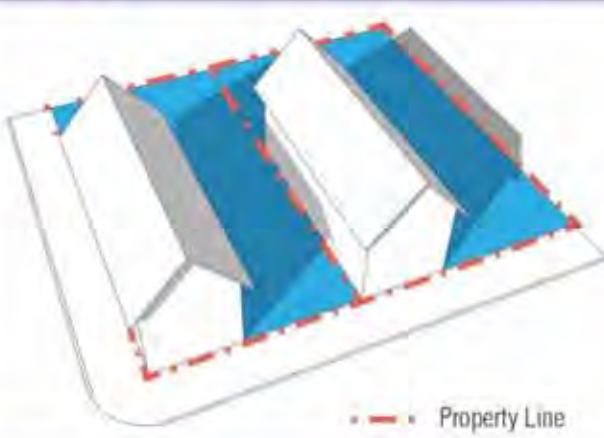
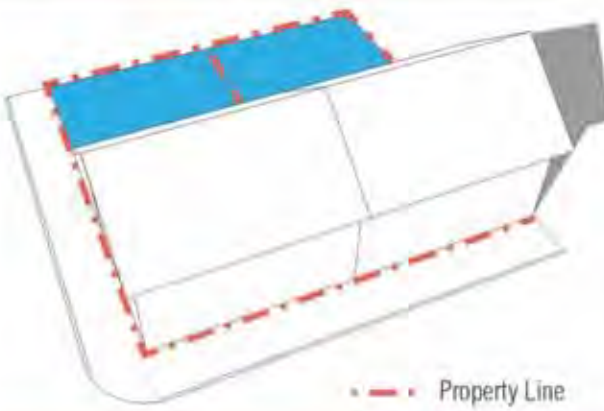
10.5A54.50 Other Components

Any structure other than a principal building, fence or streetscreen shall be situated in the second lot layer or third lot layer and shall be screened from the frontage by a principal building or streetscreen.

10.5A54.60 Building Facades

10.5A54.61 Within each Character District, building façades shall be built parallel to a rectilinear principal frontage line or to the tangent of a curved principal frontage line, and along the indicated minimum and/or maximum percentage of the frontage line width at the setback, as specified as Frontage Buildout on Tables 10.5A42.10A-C (Character District Standards) and/or Map 10.5A21C (Special Requirements: Specific Shopfront, Step Frontages, Percent Frontage Buildout and Use Requirement Areas).

TABLE 10.5A54.20 YARD TYPES

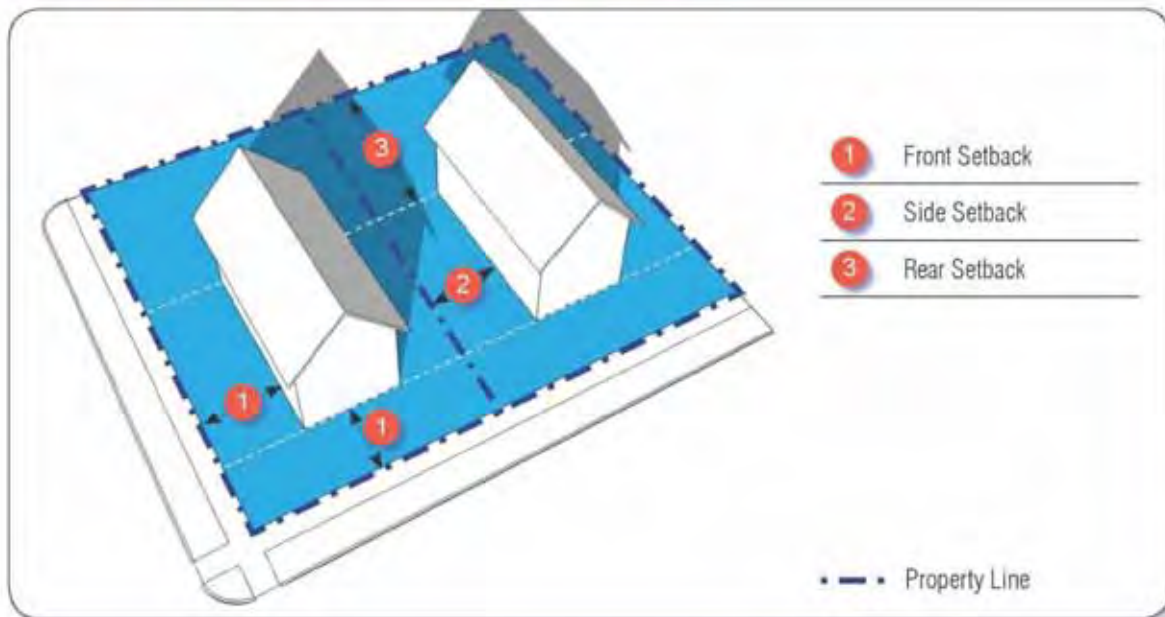
<p>Edgeyard Permitted Districts:</p>	<p>CD4—L</p>	<p>CD4</p>	
 <p>• - - - Property Line</p>	<p>Specific Types - single family House, cottage, villa, estate house, urban villa. A building that occupies the center of its Lot with Setbacks on all sides. This is the least urban of types as the front yard sets it back from the Frontage, while the side yards weaken the spatial definition of the public Thoroughfare space. The front yard is intended to be visually continuous with the yards of adjacent buildings. The rear yard can be secured for privacy by fences and a well-placed Backbuilding and/or Outbuilding.</p>		
<p>Sideyard Permitted Districts:</p>	<p>CD4—L</p>	<p>CD4</p>	
 <p>• - - - Property Line</p>	<p>Specific Types - single house, duplex, zero lot line house. A building that occupies one side of the Lot with the Setback to the other side. A shallow Frontage Setback defines a more urban condition. If the adjacent building is similar with a blank side wall, the yard can be quite private. This type permits systematic climatic orientation in response to the sun or the breeze. If a Sideyard House abuts a neighboring Sideyard House, the type is known as a twin or double House. Energy costs, and sometimes noise, are reduced by sharing a party wall in this disposition.</p>		
<p>Rearyard Permitted Districts:</p>	<p>CD4—L</p>	<p>CD4</p>	<p>CD5</p>
 <p>• - - - Property Line</p>	<p>Specific Types - Rowhouse, Live-Work unit, Apartment House, Small Commercial Building, Large Commercial Building. A building that occupies the full Frontage, leaving the rear of the Lot as the sole yard. This is a very urban type as the continuous Facade steadily defines the public Thoroughfare. The rear Elevations may be articulated for functional purposes. In its Residential form, this type is the Rowhouse. For its Commercial form, the rear yard can accommodate substantial parking.</p>		

10.5A54.62 Any façade facing a frontage line shall be modulated by major breaks in the façade plane and/or changes in exterior materials or rooflines, in order to render the appearance of individual buildings or wings no wider than the dimensions listed in Tables 10.5A42.10A-C. Façades that are all brick or masonry and have a high degree of fenestration, traditional masonry detailing, and traditional window styling (including recessed windows in the openings and use of multi-panes) shall be exempt from the modulation requirements listed in Tables 10.5A42.10A-C.

10.5A54.70 Building Setbacks

10.5A53.71 Setbacks for buildings shall be as shown in Tables 10.5A42.10A-C (Character District Standards). See Illustration 10.5A54.70 (Setback Designations).

ILLUSTRATION 10.5A54.70 SETBACK DESIGNATIONS



10.5A55 Building Form and Building Types

10.5A55.10 Private Frontage – General

The private frontage within each Character District shall conform to and be allocated in accordance with Table 10.5A54.30 (Private Frontage Types) and Tables 10.5A42.10A-C (Character District Standards), as applicable, and any applicable private frontage special requirements indicated on the Regulating Plan.

10.5A55.20 Multiple Private Frontages

10.5A55.21 Each building shall have a private frontage along each of its street frontages. If a building has more than one street frontage, one of its frontages shall be designated as the principal frontage and the other frontage or frontages shall be secondary frontages, as illustrated generally in Illustration 10.5A55.20 (Frontage and Lot Lines).

10.5A55.22 The requirements for the second lot layer and third lot layer of corner lots and through lots pertain only to the principal frontage. The requirements for the first lot layer of lots with more than one frontage pertain to both frontages. See Illustration 10.5A53.10 (Lot Layers).

ILLUSTRATION 10.5A55.20 FRONTAGE AND LOT LINES

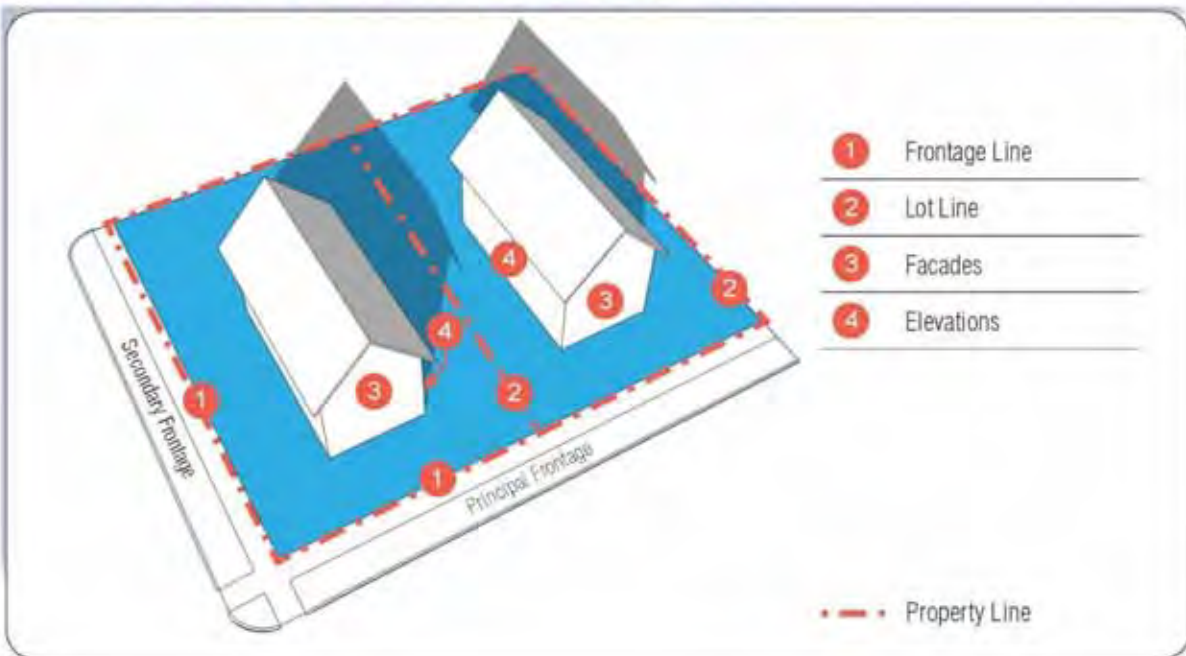
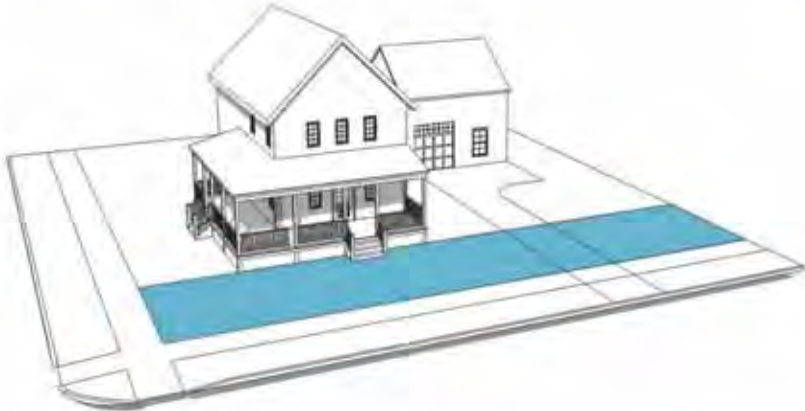


TABLE 10.5A54.30 PRIVATE FRONTAGE TYPES

Common Lawn Permitted Districts: **CD4—L**



A planted Frontage wherein the Facade is set back substantially from the Frontage Line. The front yard created remains unfenced and is visually continuous with adjacent yards, supporting a common landscape. The deep Setback provides a buffer from the higher speed Thoroughfares.

Porch Permitted Districts: **CD4—L** **CD4**



A planted Frontage wherein the Facade is set back from the Frontage Line with an attached porch or stoop permitted to Encroach. This may be used with or without a fence to maintain street spatial definition.

TABLE 10.5A54.30 PRIVATE FRONTAGE TYPES (CONTINUED)

Stoop Permitted Districts: **CD4-L** **CD4** **CD5**



A Frontage wherein the Facade is aligned close to the Frontage Line with the first Story elevated from the Sidewalk sufficiently to secure privacy for the windows. The entrance is usually an exterior stair and landing. This type is recommended for ground-floor Residential use. This frontage type is only allowed outside the Downtown Overlay District.


Step Permitted Districts: **CD4-L*** **CD4** **CD5**



A Frontage wherein the Facade is aligned close to the Frontage Line. The entrance is usually an exterior single step without a landing. This type is recommended for ground-floor Residential Office or Retail use. See Map 10.5A21C

TABLE 10.5A54.30 PRIVATE FRONTAGE TYPES (CONTINUED)


Shopfront Permitted Districts: **CD4—L*** **CD4** **CD5**



A Frontage wherein the Facade is aligned close to the Frontage Line with the building entrance at Sidewalk grade. This type is conventional for Retail use. It has a substantial glazing on the Sidewalk level and may have an awning that may overlap the Sidewalk to within 2 feet of the Curb.

* Only as shown on Map 10.5A21C Special Requirements: Specific Shopfront & Step Private Frontages Requirements Areas

Officefront Permitted Districts: **CD4—L*** **CD4** **CD5**



A Frontage wherein the Facade is aligned close to the Frontage Line with the building entrance at or above Sidewalk grade. This type is conventional for Office use. It may have substantial glazing on the Facade.

* Only as shown on Map 10.5A21C Special Requirements: Specific Shopfront & Step Private Frontages Requirements Areas

TABLE 10.5A54.30 PRIVATE FRONTAGE TYPES (CONTINUED)

Forecourt	Permitted Districts:	CD4
		<p>A Frontage wherein a portion of the Facade is close to the Frontage Line and the central portion is set back. The Forecourt created is suitable for vehicular drop-offs. This type should be allocated in conjunction with other Frontage types. Large trees within the Forecourts may overhang the Sidewalks.</p> <p>This frontage type is only allowed outside the Downtown Overlay District.</p>

10.5A55.30 Building and Floor Heights

- 10.5A55.31 Building heights and floor heights within each Character District shall conform to Tables 10.5A42.10A-C (Character District Standards) and the special requirements for Specific Building Height Requirement Areas indicated Map10.5A21B.
- 10.5A55.32 In calculating height of a parking structure or garage, except for a roof-top level parking with a parapet wall less than four feet in height, each above-ground level counts as a single story regardless of its relationship to habitable Stories.
- 10.5A55.33 A short story includes either: (1) the use of a top story that is below the cornice line of a sloped roof and is at least 20% shorter in height than the story below; or (2) a story within a mansard roof with a pitch no greater than 30:12.
- 10.5A55.34 In calculating building height, roof appurtenances that are less than 10 feet above the roof surface and that are set back at least 10 feet from any edge of the roof shall not be considered, provided that the total horizontal area of all such roof appurtenances shall not exceed 33 percent of the total roof area of the building.

10.5A55.35 The specific Height Requirement Areas are listed on Map 10.5A21B. In calculating building height, the maximum building height in each Height Requirement Area shall be as follows:

Height Requirement Area	Minimum Height in Stories	Maximum Height in Stories	Maximum Height in Feet
2 stories	2	2	35
2 stories (short 3 rd)	2	2 + short 3 rd	40
2-3 stories	2	3	45
2-3 stories (short 4 th)	2	3 + short 4 th	50
2-4 stories (short 5 th)	2	4 + short 5 th	60

10.5A55.40 Maximum Building Footprint

No buildings or other structures shall be greater than the maximum building footprints listed in Table 10.5A42.10A-C Character District Standards); except that this limitation shall not apply to off-street parking structures designed in accordance with the standards in Section 10.5A58.

10.5A55.50 Roof Type and Pitch

Building roof type and pitch within each Character District shall conform to Tables 10.5A42.10A-C (Character District Standards).

10.5A55.60 Facade Glazing

Window glazing of building facades within each Character District shall conform to Tables 10.5A42.10A-C (Character District Standards).

10.5A55.70 Loading Docks and Service Areas

Loading docks and service areas shall not be permitted on frontages or within the first lot layer. See Illustration 10.5A53.10 (Lot Layers).

10.5A55.80 Streetscreens

Any streetscreen along a frontage shall be built on the same plane as the façade of the principal building and shall be between 3.5 and 4.0 feet in height. Streetscreens located on a private frontage shall be between 3.5 and 6 feet in height. Streetscreens along the frontage shall have openings no larger than necessary to allow automobile and pedestrian access.

10.5A55.90 Building Type

Buildings in each Character District shall be of one or more of the building types specified for such Character District in Table 10.5A55.90 (Building Types).

10.5A56 Encroachments

Encroachments of building elements in setback areas shall be allowed within each Character District as set forth in Tables 10.5A42.10A-C (Character District Standards).

TABLE 10.5A55.90 BUILDING TYPES




House	Permitted Districts:	CD4—L CD4
		<p>House: Building having an Edgeyard yard type, initially intended as a single-family dwelling on a medium to large Lot, often shared with an Accessory Building in the back yard. This building type is only allowed outside the Downtown Overlay District.</p>
Duplex	Permitted Districts:	CD4
		<p>Duplex: a Building having an Edgeyard yard type, initially intended as a single-family dwelling, usually on a small Lot that may be shared with an Accessory Building in the back yard. This building type is only allowed outside the Downtown Overlay District.</p>
Rowhouse	Permitted Districts:	CD4 CD5
		<p>Rowhouse: a Building Type having a Rearyard Yard Type, initially intended for single-family dwelling, that shares a party wall with another of the same type and occupies the full Frontage Line. See Rearyard Building. (Syn; Townhouse). This building type is only allowed outside the Downtown Overlay District.</p>

TABLE 10.5A55.90 BUILDING TYPES (CONTINUED)

Live / Work

Permitted Districts:

CD4

CD5



Live-Work: a Mixed Use unit designed to accommodate a ground floor commercial use and a Residential use above. The commercial Use may be anywhere in the unit.

Small Commercial Building

Permitted Districts:

CD4

CD5



Small Commercial Building: a Building having a Shopfront at the ground floor that may be used for Retail, Office, Medical, Commercial, Service, Personal Service, Civic, Education, or other Uses permitted in the applicable Character District. Only non-residential Uses are allowed on the ground floor in the Downtown Overlay District. The floors above may be used for a Residential Principal Function or for any other Function permitted in the applicable Character District.

Apartment

Permitted Districts:

CD4—L



Apartment: a Building with an Edgeyard yard type, initially intended for a Residential Principal Use, including multiple attached single-family Dwelling Units. This building type is only allowed outside the Downtown Overlay District. This building type may be designed from the exterior to complement detached single-family houses in certain Character Districts while containing actually several flats on the interior; may be for rent, or for sale as a condominium.

TABLE 10.5A55.90 BUILDING TYPES

Large Commercial Building	Permitted Districts:	CD5
		
<p>Large Commercial Building: a Building having a Shopfront at the ground floor that may be used for Retail, Office, Medical, Commercial, Artisan Light Industrial, Workshop, Service, Personal Service, Civic, Education, or other Uses permitted in the applicable Character District. The floors above may be used for a Residential Principal Function or for any other Function permitted in the applicable Character District.</p>		

10.5A57 Building and Lot Uses

10.5A57.10 Uses

10.5A57.11 All buildings, other structures and land within the CD4 and CD5 Character Districts shall comply with the use regulations for the Central Business B district set forth in Section 10.440, and with the special requirements for uses set forth on Map 10.5A21C (Special Requirements: Use Areas).

10.5A57.12 All buildings, other structures and land within the CD4-L Character Districts shall comply with the use regulations for the Mixed Office Residential (MRO) district set forth in Section 10.440.

10.5A57.20 Downtown Overlay District

Except as provided in Section 10.5A58.20, the ground floor of any building located within the Downtown Overlay District shall comply with the requirements listed under Section 10.640, subject to any applicable shopfront or officefront special requirement.

10.5A58 Off-Street Parking and Loading Requirements

10.5A58.10 General

Except as otherwise provided in this Section, all buildings, other structures and uses in the Character Districts shall comply with the off-street parking requirements set forth in Section 10.1110.

10.5A58.20 Number of Required Spaces

10.5A58.21 Uses in the Character-Based Zoning Area that are not located in the Downtown Overlay District shall provide off-street parking in accordance with Section 10.1112.

10.5A58.21 Uses in the Character-Based Zoning Area that are included in the Downtown Overlay District shall comply with the off-street parking requirements for the Downtown Overlay District in accordance with Section 10.1115.

10.5A58.20 Supplemental Requirements in the Downtown Overlay District

Buildings, other structures and uses in the Character Districts that are also within the Downtown Overlay District shall comply with the additional standards in Section 10.643.

10.5A58.30 Parking, Loading, and Driveway Locations and Standards

10.5A58.31 All off-street parking areas, parking garages and off-street loading areas shall be located in the second lot layer or third lot layer.

10.5A58.32 Parking areas, parking lots and loading locations shall be screened from the frontage by a building or streetscreen except for any access driveway.

10.5A58.33 Driveways at frontages shall be no wider than 24 feet in the first lot layer.

10.5A58.34 Pedestrian exits from all parking lots, garages, and parking structures shall be directly to a frontage line and not directly into a building, except for underground parking accommodations.

10.5A58.35 Parking structures shall have liner buildings of at least 24 feet deep lining the parking structure throughout its entire height along the frontage except for access driveways and entrances.

10.5A58.36 In addition to any walkway or sidewalk around such parking area or parking lot, each parking area or parking lot that exceeds 75 parking spaces shall have least one pedestrian walkway of a minimum width of eight (8) feet that is paved differently from the parking spaces with respect to texture, material, style, and/or color.

10.5A58.40 Surface Parking Lot and Parking Area Landscaping

Surface parking areas and parking lots that contain ten (10) or more spaces shall conform to the following:

- 10.5A58.41 Parking areas and parking lots shall contain one landscape island for every 10 parking spaces. Parking lots with more than one landscape island shall have such islands distributed throughout the parking lot. Each landscape island shall be a minimum of 325 square feet.
- 10.5A58.42 For every 2,000 square feet of parking area or parking lot, at least one tree shall be installed or preserved within the parking area or parking lot.
- 10.5A58.43 No parking space shall be more than 75 feet from a tree within the lot, as measured from the center of the tree to the nearest line demarcating the space.
- 10.5A58.44 All landscaping required pursuant to this Section 10.5A58.40 and adjacent to the paved portion of any parking area, parking lot, loading area, accessway or thoroughfare shall be located in a manner to protect the vegetation from vehicular damage. Without limiting the foregoing, all trees shall be separated from parking area or parking lot paved surfaces by at least 3 feet.

10.5A59 Architectural Design Guidelines

In reviewing a proposed project in a Character District under Section 10.630, the Historic District Commission shall review the Development Plan for compliance with Architectural Design Guidelines adopted for the Character Districts or for the Historic District generally. The initial Guidelines shall be those contained in the document titled “Interim Architectural Design Guidelines for the Character-Based Zoning Ordinance,” Recommended for Adoption by the HDC, dated November 18, 2013, which shall apply until superseded by new guidelines adopted by the Historic District Commission and approved by the City Council.

Section 10.5A60 Definitions

This Section provides definitions for certain terms in Article 5A that are not otherwise defined in Article 15:

Adjacent

Having any distance of real property boundary in common with, or being separated from such a common real property boundary by a **thoroughfare**, right-of-way, alley or easement.

Attic space

The interior part of a building contained within a gable, gambrel, hip-roof mansard or penthouse level.

Backbuilding

A single-story structure connecting a principal building to an outbuilding. See Illustration 10.5A54.30 (Principal Building/Backbuilding/Outbuilding).

Block

The aggregate of private lots, Rear Alleys and Rear Lanes, circumscribed by thoroughfares.

Block face

The aggregate of all the building facades on one side of a block.

Building element

Any component or part of a building.

Character District

A zoning district shown on the Regulating Plan to which certain development, lot and building standards, and other elements of the intended built environment are applicable.

Civic

The term describing activities, uses, purposes and organizations other than the City of Portsmouth which are open to the general public, dedicated to arts, culture, education, religion, recreation, government, transit, gardening, horticulture, public gathering, assembly or meeting.

Civic space

An open area dedicated for civic use which is owned and operated by a not-for-profit organization or entity other than the City of Portsmouth. There are several civic space types defined by the combination of certain physical constants, including the relationships among their intended use, their size, their landscaping and the buildings that front on them. The civic space types are shown on Table 10.5A51.20 (Civic Spaces).

Configuration

The form of a building, including its massing, private frontage, and height.

Cornice

A crowning projected molded horizontal top of a building or some part of a building. A trimmed eave on the gable end of a gable-roofed building creates a cornice, consisting of two raking or sloping cornices with connected horizontal cornice.

Curb

The edge of the vehicular pavement that is raised to a granite curb. It usually incorporates the drainage system.

Development

Activity directed toward making an improvement.

Development Plan

A plan meeting the requirements of Section 10.5A33.10.

Driveway

A vehicular lane within a lot, often leading to a garage or parking area.

Edgeyard

A Yard Type in which buildings occupy the center of a lot with Setbacks in the front, the rear and on all sides. See Table 10.554.20 (Yard Types).

Elevation

An exterior wall of a building not along a frontage line. See Illustration 10.5A55.20 (Frontage and Lot Lines). See also façade.

Encroach

To break the plane of a vertical or horizontal regulatory limit with a structural element, so that it extends into a setback, or above a height limit.

Encroachment

Any structural element that breaks the plane of a vertical or horizontal regulatory limit, extending into a setback, or above a height limit, or the breaking of such limit by a structural element.

Facade

The exterior wall of a building that is set along a frontage line. See Illustration 10.5A55.20 (Frontage and Lot Lines). See also elevation.

Façade Glazing

The portion of a façade that consists of transparent windows and doors.

First Lot Layer

That portion of a lot bounded by (a) the side lot lines, (b) the frontage line, and (c) the front setback line.

Floor height

The minimum floor height is measured from floor to ceiling along the building facade which is located on the public frontage.

Frontage

As applicable to Article 5A, the area between a building facade and the vehicular lanes, inclusive of its built and planted components. Frontage is divided into private frontage and public frontage. See Illustration P.1 (Thoroughfares and Frontages), Table 10.5A54.30 (Private Frontage Types), and Illustration 10.5A55.20 (Frontage and Lot Lines).

Frontage Line

A lot line bordering a public frontage. See also Illustration 10.5A55.20 (Frontages and Lot Lines).

Garage

An enclosed area integral to a non-municipal principal building or an outbuilding that provides as an accessory use space for parking or storage of vehicles incidental to the principal use of the lot or principal building on the lot. Not synonymous with parking structure.

Green

A civic space type for unstructured recreation, spatially defined by landscaping rather than building frontages and conforming to Table 10.5A51.20 (Civic Spaces: Green).

Improvement

Except as listed as an exempt activity under Section 10.633.20, any man-made alteration of land, a lot, a building or other structure whether horizontal, vertical, surface or subsurface.

Liner building

A building that is at least 24 feet deep measured from the façade and is specifically designed to mask a parking lot or a parking structure from the public frontage.

Lot layer

A range of depth of a lot within which certain elements are permitted. See first lot layer, second lot layer and third lot layer. See Illustration 10.5A53.10 (Lot Layers).

Lot width

The length of the frontage line of a lot, or in the case of a lot with two frontages, the principal frontage line.

Mansard roof

A four-sided flat- or hip-top roof characterized by two slopes on each of its sides with the lower slope punctured by dormer windows. The upper slope of the roof may not be visible from street level when viewed from close to the building.

Officefront

A private frontage type conventional for office or lodging use, wherein the façade is aligned close to the frontage line with the building entrance at or elevated above sidewalk grade. See Table 10.5A54.30 (Private Frontage Types).

Outbuilding

An accessory building, usually located toward the rear of the same lot as a principal building, and sometimes connected to the principal building by a backbuilding. See Illustration 10.5A54.30 (Principal Building/Backbuilding/Outbuilding).

Park

A civic space type that is open space available for structured or unstructured recreation and complies with the requirements of Table 10.5A51.20 (Civic Spaces: Park).

Parking area

An off-street, ground-level open area within a non-municipal lot for parking vehicles as an accessory use incidental to a principal use of the lot or principal building on the lot. Not synonymous with parking lot.

Parking lot

An off-street, ground-level open area within a non-municipal lot for parking vehicles as a principal use. Not synonymous with parking area.

Parking structure

A non-municipal structure containing one or more stories of parking above grade.

Path

A pedestrian way traversing a park, square or other open space, or otherwise separated from streets by landscaped areas, and ideally connecting directly with the urban sidewalk network.

Pedestrian Alley

A pedestrian connector, open or roofed, that passes between buildings to provide shortcuts through long blocks and connect rear parking areas to frontages.

Penthouse Level

A penthouse level includes all habitable space within the uppermost portion of a building above the cornice which is setback at least 15 feet from all edges of the roof and that the total floor area of which shall not exceed 50% of the area of the story below.

Placement

The disposition of a building on its lot. See Illustrations 10.5A53.10 (Lot Layers) 10.5A54.30 (Principal Building/Backbuilding/Outbuilding) and 10.5A54.70 (Setback Designations).

Plaza

A civic space type designed for civic and commercial purposes, uses and activities, generally paved, spatially defined by building frontages and complying with Table 10.5A51.20 (Civic Spaces: Plaza).

Principal building

The main building on a lot, usually located toward the frontage. See Illustration 10.5A54.30 (Principal Building/Backbuilding/Outbuilding).

Principal entrance

The main point of access for pedestrians into a building.

Principal frontage

On corner lots and through lots, the private frontage designated to bear the address, and the measure of minimum lot width. Prescriptions for the location of parking in certain lot layers pertain only to the principal frontage. Prescriptions for the first lot layer pertain to both frontages of a corner lot. **See** Illustration 10.5A55.20 (Frontage and Lot Lines). See also frontage.

Private frontage

The privately held area between and including the frontage line and the principal building facade. See Table 10.5A54.30 (Private Frontage Types). See frontage.

Public frontage

The area between the curb of the vehicular lanes and the frontage line. See also frontage.

Rearyard

A Yard Type wherein a building occupies the full frontage line, leaving the rear of the lot as the sole yard. See Table 10.5A54.20 (Yard Types).

Regulating Plan

The zoning map or set of maps that shows the Character Districts, Municipal Districts, civic spaces and special requirements, if any, of areas subject to, or potentially subject to, regulation by Article 5A.

Secondary frontage

On corner lots, the private frontage that is not the principal frontage. As it affects the public realm, its first lot layer is regulated. See frontage.

Second lot layer

That portion of a lot bounded by (a) the side lot lines, (b) the front setback line and (c) a line which is 20 feet from and parallel to the front setback line.

Setback

(a) The required distance between a structure or use and a specified reference point such as a use, lot line, zoning district boundary, wetland or water body.

- (b) An area within a lot in which buildings or other structures are not permitted in the absence of a permitted encroachment. (See also yard in Article 15.)
- (c) The placement of a building or other structure away from a lot line.

Shopfront

A private frontage type conventional for retail, office, service or restaurant use, with substantial glazing and with or without an awning, wherein the façade is aligned close to the frontage line with the building entrance at sidewalk grade. See Table 10.5A54.30 (Private Frontage Types).

Short Story-

A short-story includes either: 1) a use of a top story that is below the cornice line of a hip-roof that is at least 20% shorter in height than the story below; or 2) a story within a mansard roof.

Sidewalk

The paved section of the public frontage dedicated exclusively to pedestrian activity.

Sideyard

A Yard Type having a setback on one side and a building occupying the other side with no setback.

Special requirements

Provisions of Section 10.5A21.20 (Special Requirements) and/or the associated designations on a Regulating Plan or other map(s) for those provisions.

Square

A civic space type designed for unstructured recreation and civic purposes, spatially defined by building frontages, consisting of paths, lawns and trees, formally disposed, and complying with Table 10.5A51.20 (Civic Spaces: Square).

Step frontage

A private frontage type wherein the facade is aligned close to the frontage line with the first story elevated from the sidewalk for privacy, with exterior step without a landing at the entrance. See Table 10.5A54.30 (Private Frontage Types).

Stoop frontage

A private frontage type wherein the facade is aligned close to the frontage line with the first story elevated from the sidewalk for privacy, with an exterior stair and landing at the entrance. See Table 10.5A54.30 (Private Frontage Types).

Story

Except for habitable space within a short-story, an attic space or basement at least 50% below grade, a story is the habitable level of building below the lowest point of its cornice or eave or, the top of a flat-top mansard roof. See Tables 10.5A42.10A-C (Character District Standards).

Streetscreen

A freestanding wall built along the frontage line, on the same plane as a facade or at or along any lot or boundary line which masks a parking lot from the street, provides privacy to a side yard, and/or strengthens the spatial definition of the public realm.

Third lot layer

That portion of a lot bounded by (a) the side lot lines, (b) the rear lot line and (c) the line of the second lot layer that is parallel to and furthest from the frontage line. See Illustration 10.5A53.10 (Lot Layers).

Thoroughfare

A way for use by vehicular and/or pedestrian traffic and to provide access to lots and open spaces, consisting of vehicular lanes and/or pedestrian ways and the public frontage. See Illustration P1 (Thoroughfares and Frontages). Existing and potential pedestrian ways include Vaughan Mall, Commercial Alley, Ladd Street and Haven Court.

CHARACTER-BASED ZONING

Changes Proposed by Councilor Thorsen to Map 10.5A21B – Specific Requirements: Specific Building Height Requirement Areas

(For Illustration Only – See Proposed Amendment Text)

April 21, 2014

As Presented at 2nd Reading



As Proposed by Councilor Thorsen



LEGEND

Height Requirement Area ***	Max. Building Height
Yellow	2 Stories 35'
Blue	2 Stories (short 3rd*) 40'
Green	2 - 3 Stories 45'
Orange	2-3 Stories (short 4th*) 50'
Pink	2-4 Stories (short 5th*) 60'
Grey	Downtown Overlay District
Red	Character-Based Zoning Area

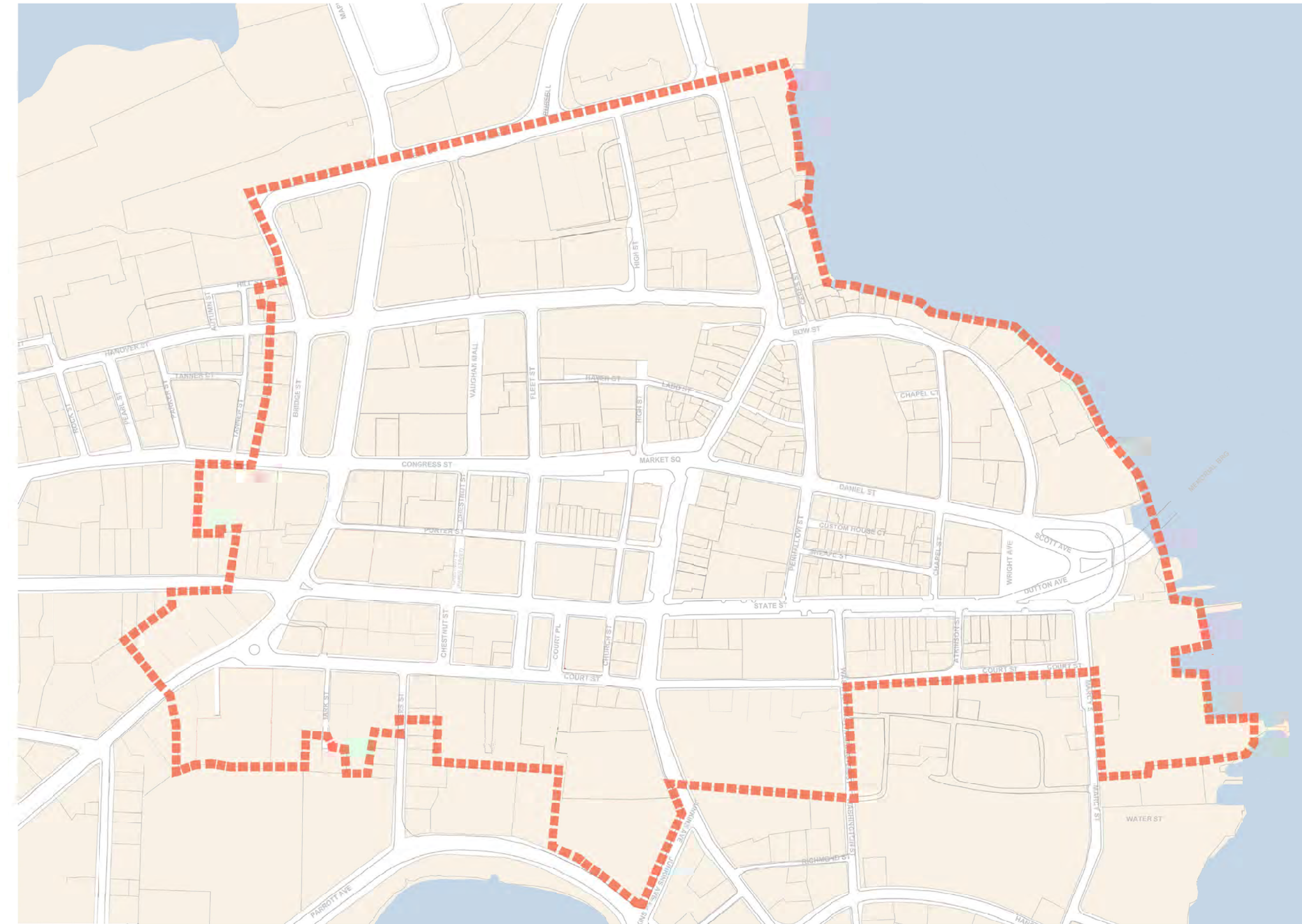
City of Portsmouth - Character-Based Zoning

City Council Third Reading
April 7, 2014

The Regulating Plan and Special Requirements maps
are the Zoning Map for the Character Districts.

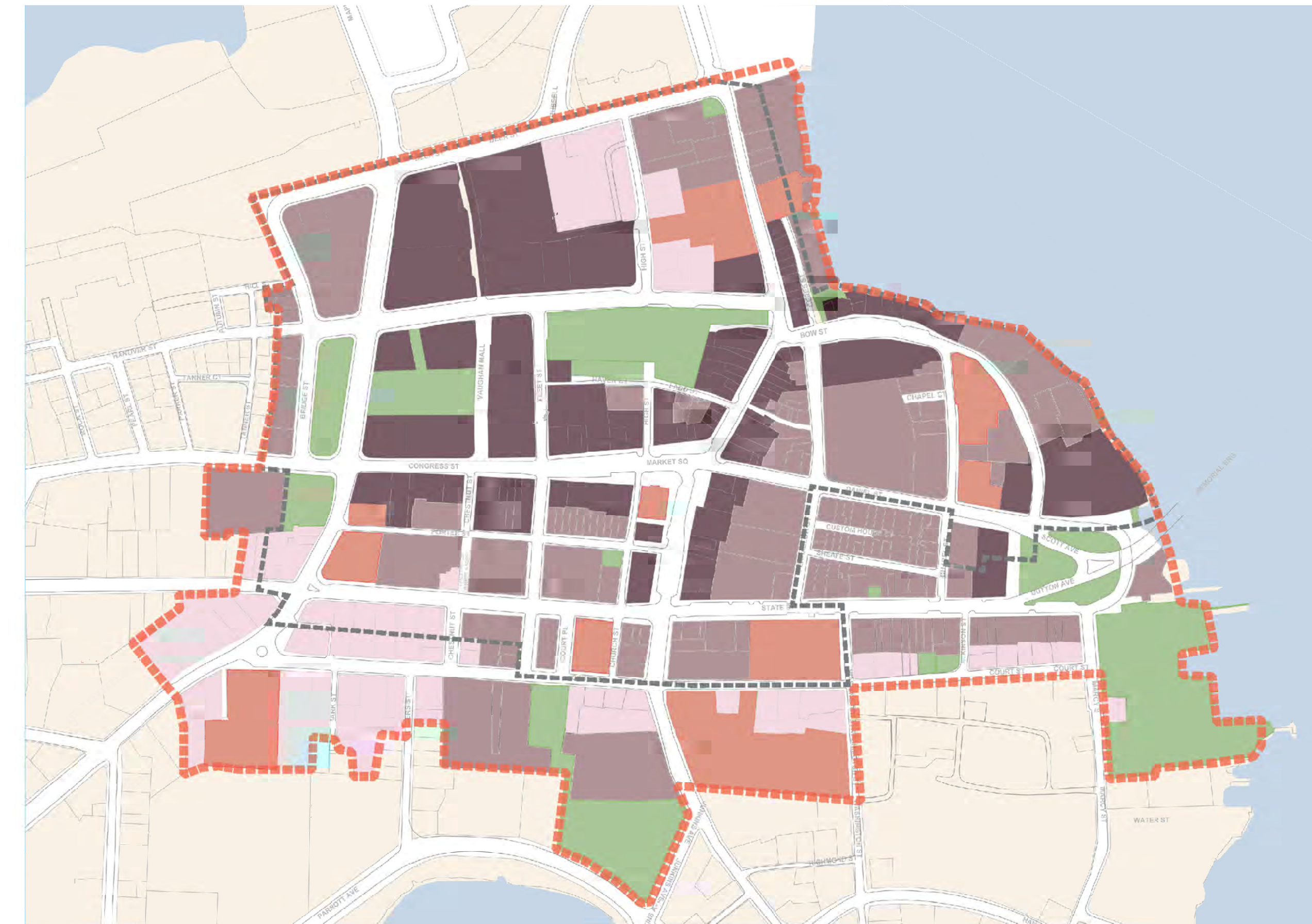
Not To Scale

MAP 10.5A10.3 BOUNDARY MAP



LEGEND
- - - Portsmouth Character-Based District Boundary Line

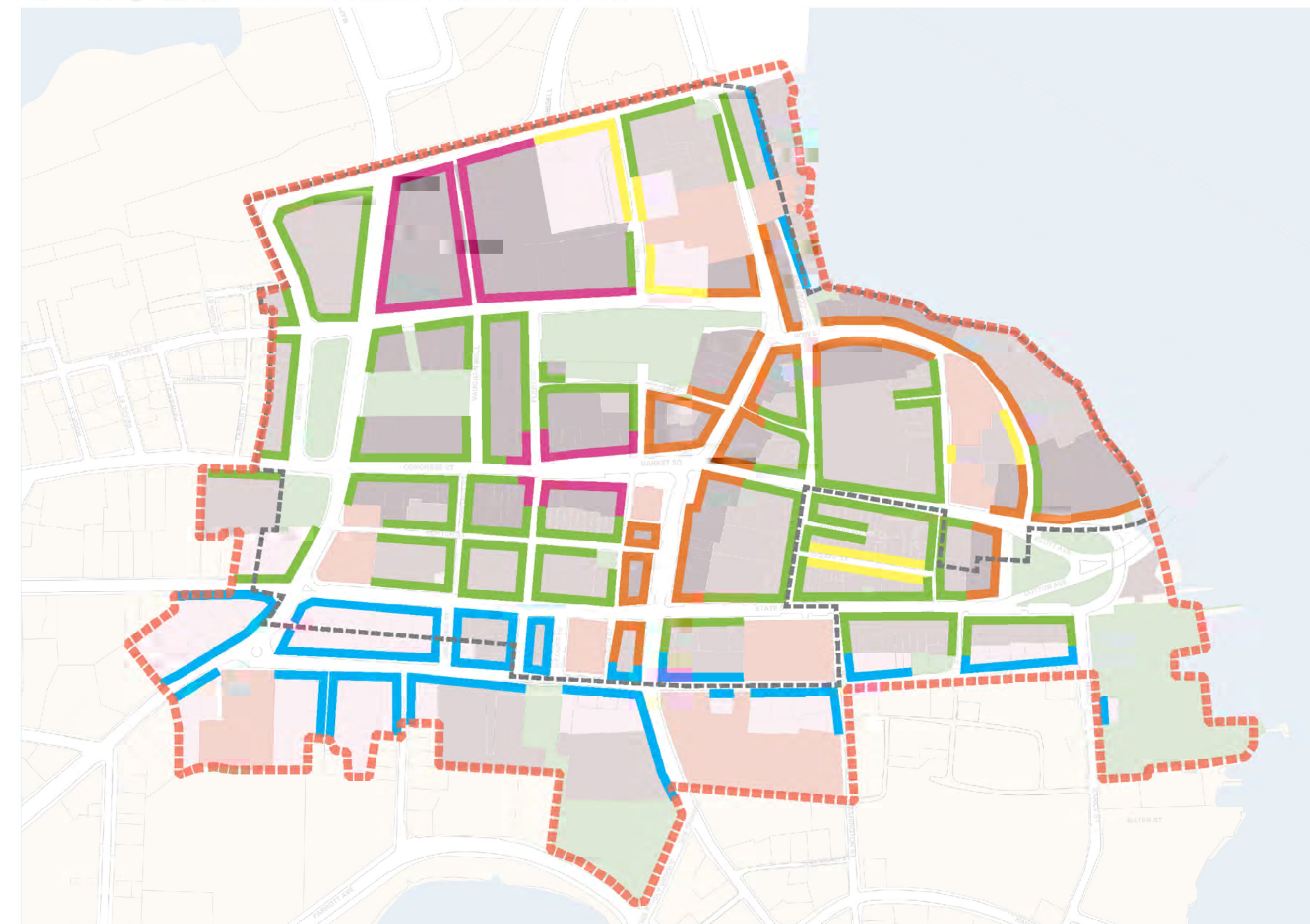
MAP 10.5A21A REGULATING PLAN*



LEGEND
■ CD4-L
■ CD4
■ CD5
■ Municipal District
■ Civic District
■ Water
- - - Downtown Overlay District
- - - Character-Based Zoning Area

* See special requirement maps for supplemental requirements

MAP 10.5A21B SPECIAL REQUIREMENTS: SPECIFIC BUILDING HEIGHT REQUIREMENT AREAS**



LEGEND

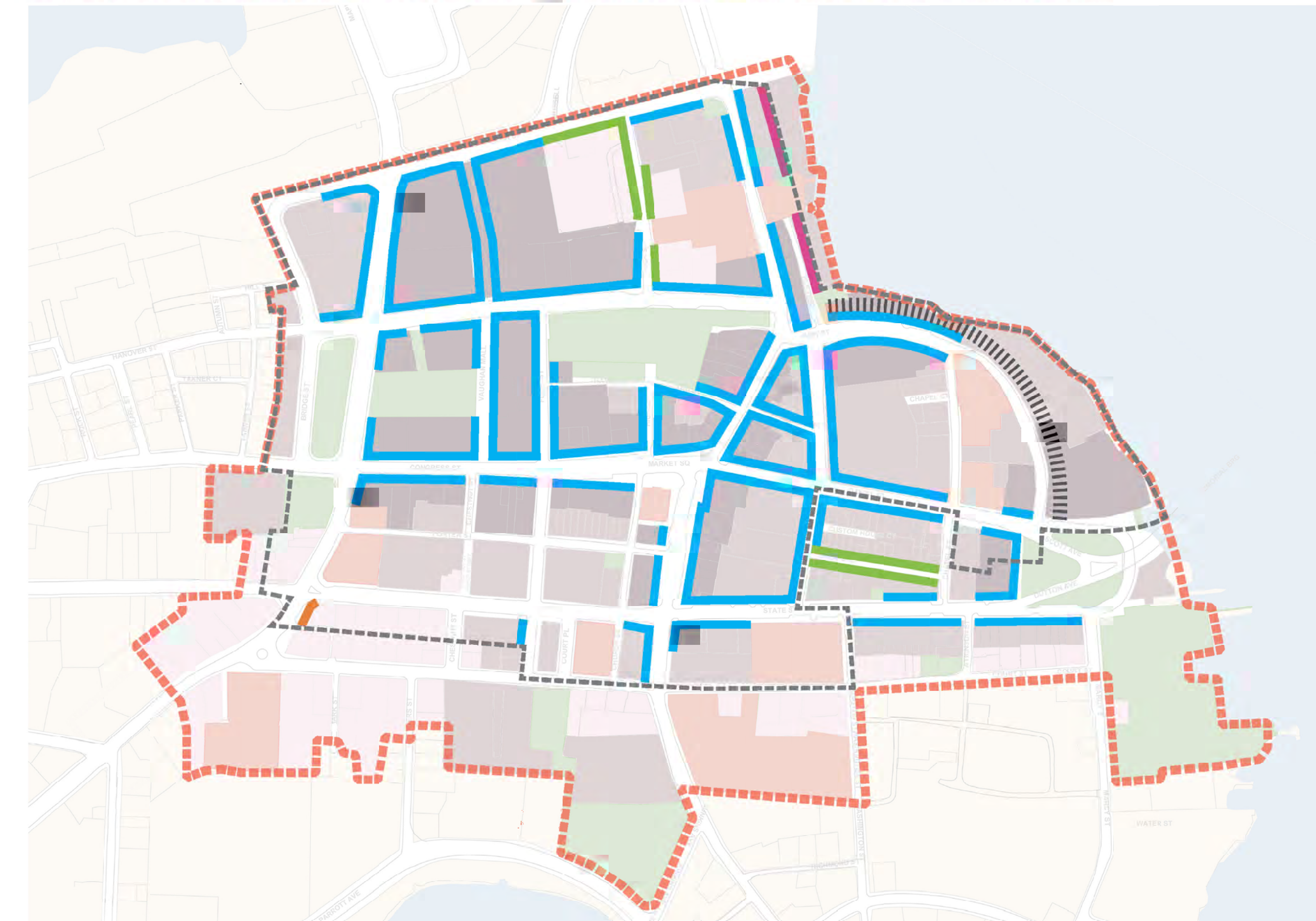
Height Requirement Area ***	Max Building Height
■ 2 Stories	35'
■ 2 Stories (short 3rd*)	40'
■ 2-3 Stories	45'
■ 2-3 Stories (short 4th*)	50'
■ 2-4 Stories (short 5th*)	60'
- - - Downtown Overlay District	
- - - Character-Based Zoning Area	

* A short story includes either:
 1) use of a top story below the cornice line of a sloped roof that is at least 20% shorter in height than the story below; or,
 2) a story within a mansard roof.

** In instances of consolidation of two or more lots that cause the new lot to fall within more than one building height requirement, the lot shall be permitted to use the higher height requirement.

*** NOTE: Attic space within a Gable, Gambrel, Hip, Hip-Top Mansard or Penthouse Level is not considered a Story. Attic Space is permitted above the top story provided the proposed building is no greater than the maximum building height.

MAP 10.5A21C SPECIAL REQUIREMENTS: REQUIRED SPECIFIC SHOPFRONT, STEP PRIVATE FRONTAGES, PERCENT FRONTAGE BUILDOUT & USE REQUIREMENT AREAS



LEGEND
■ No more than 50% Frontage Buildout, wood-sided appearance, and Uses shall be those permitted in the Waterfront Industrial Zone & Section 1C.830

■ Shopfront Frontage
■ Step Frontage
■ Office Front Frontage
- - - Downtown Overlay District
- - - Character-Based Zoning Area
||||| Waterfront Zone

Note: All buildings, other structures, and land within this Waterfront Zone shall comply with the use regulations for the Central Business A District set forth in Section 10.440.